



LAW OFFICES OF MIDDLETON, YOUNG & MINNEY, LLP

MARCH 27, 2012

VIA: E-MAIL  
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Sue Burr, Executive Director  
State Board of Education  
1430 N Street, Suite 5111  
Sacramento, CA 95814

**Re: Long Valley Charter School Response to Notice of Violation  
Pursuant to California Education Code Section 47607(d)**

CHASTIN H. PIERMAN  
KIMBERLY RODRIGUEZ

Dear Executive Director Burr:

ANDREA C. SEXTON  
SARAH J. KOLLMAN  
JANELLE A. RULEY  
ANDREW G. MINNEY  
MICHAEL E. HERSHER  
MICHELLE A. RUSKOFKY  
SARAH K. BANCROFT  
\*ALSO ADMITTED IN NEVADA

As you know, our office represents Long Valley Charter School ("LVCS" or the "Charter School"), which, on March 8, 2012, was served a Notice of Violation by the State Board of Education pursuant to Education Code Section 47607(d) and the California Code of Regulations, Title 5, Section 11968.5.2. Herein and attached, please find LVCS's response and evidence that refutes, remedies, or proposes to remedy the alleged violations contained in the March 8, 2012, Notice of Violation. Please note that a number of the evidentiary documents referenced in the attached response have already been submitted to staff of the California Department of Education. Where appropriate, we have noted which documents have already been submitted to California Department of Education staff. If you have any questions regarding such documents, or would like additional copies, please let us know as soon as possible.

On behalf of LVCS, we appreciate your time and consideration of this response and look forward to resolution of all concerns.

Sincerely,  
**LAW OFFICES OF  
MIDDLETON, YOUNG & MINNEY, LLP**

A handwritten signature in blue ink that reads "Lisa Corr".

LISA A. CORR  
ATTORNEY AT LAW

Enclosures

cc: Julie Baltazar, Director, CDE Charter Schools Division  
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<b>I. ALLEGED VIOLATION OF THE CONDITIONS OF THE CHARTER (EDUCATION CODE SECTION 47607(c)(1))</b>			
<b>#1</b>	<b>RESOURCE CENTERS</b>  LVCS operates resource centers without prior SBE approval.	<u>Proposed Remedy</u>  On February 24, 2012, LVCS submitted a proposed material revision to the LVCS charter, which adds resource centers in Portola (Plumas County), Cottonwood (Shasta County), and Susanville (Lassen County), and a proposed resource center in Redding (Shasta County).	See February 2012 LVCS Material Revision, pp. 71-72, sent to CDE on 2/24/12.
<b>#2</b>	<b>ENROLLMENT</b>  The SBE approved LVCS petition which stated LVCS having an enrollment of 107 students in the site based program and 165 students in the independent study program for a total of 272 students. Based on the most recent attendance reporting submitted to the CDE, LVCS has a total of 498 students.	<u>Proposed Remedy</u>  Material revision to the LVCS charter, which increases the maximum total enrollment on any given school day to a monthly average maximum enrollment of 525 in 2011-12; 550 in 2012-13; 575 in 2013-14; and 600 in 2014-15.  As noted on page 6 of the material revision:  <i>“Long Valley Charter School recognizes that the reduction of enrollment and closure of resource centers is the most obvious cure for the concerns raised by the CDE and the ACCS. However, the Charter</i>	See February 2012 LVCS Material Revision, pp. 8-9, sent to CDE on 2/24/12.

<sup>1</sup> Also see LVCS Letter to ACCS and SBE dated February 3, 2012, *Long Valley Charter School Response to California Department of Education Proposed Recommendations to Issue a Notice of Violation Pursuant to Education Code Section 47607(d) and Deny Request for Charter Material Revision* (“LVCS 2/3/12 Response Letter”), which is incorporated herein for all LVCS responses as Exhibit A.

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		<p><i>School seeks this material revision in lieu of reducing enrollment and closing resource centers for the following reasons:</i></p> <p><i>1) The Charter School does not believe that disenrollment of pupils already enrolled in the school is a legal option and does not meet the best interest of the pupils enrolled in the Charter School.</i></p> <p><i>2) The Charter School believes that the charter school is stronger both academically and fiscally due to the increased enrollment and additional resource centers serving its students;</i></p> <p><i>3) The Charter School does not wish to impede the enrollment of students who choose to enroll in the Charter School who are otherwise legally eligible for enrollment.”</i></p>	
#3	<p><b>BROWN ACT</b></p> <p>The LVCS Board violated the Brown Act:</p> <p>a) 4/21/10: New board member appointment.</p> <p>b) 8/23/10: Inappropriately using a closed session to discuss school business to pay contractor.</p>	<p><u>Remedies</u></p> <p>a) The LVCS Board President attended training from the California Charter School Association on 11/30/10.</p> <p>b) LVCS Board members Harkness, Wells, Anderson, and Gotcher attended training at the County Office of Education on 1/16/11.</p> <p>c) The LVCS Board attended Brown Act and Conflicts of Interest training provided by Middleton, Young &amp; Minney, LLP, on 2/17/12.</p>	<p>1. See Exhibit A, LVCS 2/3/12 Response Letter, and Attachment D.</p> <p>2. See Appendix E of February 2012 LVCS Material Revision: MYM training 2/24/12 confirmation letter</p>

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			dated 2/24/12, and training materials, pp. 92-105, sent to CDE on 2/24/12.
#4	<p><b>CONFLICT OF INTEREST</b></p> <p>One or more members of the LVCS Board may have acted in conflict with LVCS Board Policy #17 regarding conflicts of interest:</p> <p>a) Building Remodel</p> <p>(1) 6/21/10: Bill Harkness voted on contract with Contractor Skip Jones when he is typically subcontractor for Skip Jones.</p> <p>(2) 6/29/10: Bill Harkness voted to expand project.</p> <p>(3) 8/23/10: Bill Harkness voted to pay in full.</p> <p>b) 8/12/10: LVCS Board approved</p>	<p><u>Remedies</u></p> <p>a) LVCS Board attended conflicts training by Education Synergy Consulting on 9/24/11.</p> <p>b) LVCS Board members Harkness, Wells, Anderson, and Gotcher attended training at the County Office of Education on 1/16/11.</p> <p>c) The LVCS Board attended Brown Act and Conflicts of Interest training provided by Middleton, Young &amp; Minney, LLP, on 2/17/12.</p> <p><u>Refutations</u></p> <p>a) Regarding the alleged August 23, 2010 violation, the CDE has failed to establish that the board member had any financial interest in the project, stating “The CDE believes that Board Member Harkness <u>may</u> have had a financial interest” (Emphasis added.) Thus, the CDE has not presented a concrete allegation to which we can respond. We also note that ultimately the LVCS Board did not utilize the facility at issue. LVCS is aware, however, that even a perception of impropriety should be handled by disclosure and</p>	<p>1. See Exhibit A, LVCS 2/3/12 Response Letter, and Attachment D.</p> <p>2. See Appendix E of February 2012 LVCS Material Revision: MYM training confirmation letter dated 2/24/12, and materials, pp. 92-105, sent to CDE on 2/24/12.</p> <p>3. See draft Conflicts Code, sent to CDE on 3/26/12.</p>

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	<b>ALLEGED VIOLATION PER MARCH 8, 2012 NOTICE OF VIOLATION</b>	<b>LVCS RESPONSE – REFUTATION, REMEDY OR PROPOSED REMEDY<sup>1</sup></b>	<b>SUPPORTING EVIDENCE (IF APPLICABLE)</b>
	the purchase of 112 acres of undeveloped land which was apparently owned by an LVCS employee, who may have had a financial interest in the transaction	<p>recusal of the board member from the board meeting. Further, LVCS has taken these allegations seriously and has in fact taken actions to ensure full compliance with all Brown Act and governing board duties and responsibilities, including conflicts of interest requirements, through comprehensive training.</p> <p>Lastly, it is LVCS’s understanding that the District Attorney has investigated Bill Harkness’s involvement in the building remodel. To this date, LVCS has not been notified of any wrongdoing; and to our knowledge, the District Attorney would have reported findings to LVCS by now if it had found any wrongdoing.</p> <p>b) The August 12, 2010 allegation involved a purchase of land from the husband of a LVCS teacher’s aide who is no longer employed at LVCS. The aide was only employed in 2010-11 at LVCS. The LVCS Board’s purchase was clearly an arms-length transaction as the landowners were not a part of the LVCS Board and not a part of the Board’s decision-making and vote.</p> <p><u>Proposed Remedy</u></p> <p>The LVCS Board is scheduled to consider and adopt a Conflicts Code at its regularly scheduled meeting on April 17, 2012.</p>	
<b>#5</b>	<b>FISCAL CAPACITY</b>	<u>Remedy</u>	1. See February 2012 LVCS Material

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	<p>The LVCS Board released the Financial Director/Business Advisor on 10/19/10. LVCS hired outside contractor and redistributed duties to outside contractor and Director, Cindy Henry.</p> <p>a) Concern with lack of fiscal capacity of one staff member.</p> <p>b) Concern that LVCS staff and/or governing board has sufficient oversight of or accountability to the back office provider.</p>	<p>As noted by CDE, LVCS hired Charter School Management Corporation (“CSMC”) for back office services. This is also reflected in the LVCS charter material revision:</p> <p><i>“Long Valley Charter School currently utilizes the Charter School Management Corporation (“CSMC”) for back office services. In future years, should the Board of Directors find that Long Valley Charter School could obtain financial and HR services in-house through its own personnel, meeting the same qualifications or better than CSMC for similar or better services at similar or better cost to the Charter School the Charter School shall consider bringing the requested services in-house.”</i></p> <p><u>Refutations</u></p> <p>a) LVCS utilizes two Assistant Directors, located in Shasta County and Plumas County, who are not mentioned by CDE and who are part of the three-member administrative team along with the Education Director. Thus the Education Director is sufficiently capable to perform all assigned duties and responsibilities as reflected in the charter material revision (pp. 36-37).</p> <p>b) LVCS demonstrates strong fiscal capacity. The school’s 2010–11 audit was unqualified and contained no findings and the LVCS Board has a Strategic Plan which it adopted in February 2012. After a challenging year, LVCS’s student enrollment and staffing are now stable and have the capacity to grow further. The LVCS</p>	<p>Revision, pp. 36-37, sent to CDE on 2/24/12.</p> <p>2. See Exhibit A, LVCS 2/3/12 Response Letter, and Attachment H.</p> <p>3. See Appendix F of February 2012 LVCS Material Revision: Financial Documents, pp. 106-185, sent to CDE on 2/24/12.</p> <p>4. See draft Fiscal Policies, sent to CDE on 3/26/12.</p>

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		<p>budget is balanced, with projections for future healthy fiscal reserves.</p> <p>c) LVCS is compliant with all financial reporting requirements; financial reporting is up to date and consistent.</p> <p><u>Proposed Remedies</u></p> <p>a) The LVCS charter material revision also includes the removal of the former Financial Director/Business Advisor position, and specifies that the Education Director shall oversee the CSMC contract and continue to administer attendance at LVCS.</p> <p>b) The LVCS Board approved the change in title of the position of Education Director to “Director,” as noted in Footnote 5 on page 36 of the LVCS material revision, at its March 6, 2012 meeting.</p> <p>c) The LVCS Board is scheduled to consider and adopt Fiscal Policies at its regularly scheduled meeting on April 17, 2012.</p>	
#6	<p><b>TEACHER QUALIFICATIONS</b></p> <p>Some, but not all, of LVCS teachers are not properly credentialed, highly qualified, and/or authorized to teach English learners (EL).</p>	<p><u>Refutations</u></p> <p>a) All teachers are appropriately credentialed according to their teaching assignments (see Exhibit B).</p> <p>b) Highly-qualified math teachers are assigned at each LVCS resource center for grades 9-12 (see Exhibit B).</p>	<p>1. See Exhibit B, list of employees along with credentialing assignments, also sent to CDE on</p>



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	<p>a) Some but not all teachers have an EL authorization.</p> <p>b) Of 6 teachers assigned to site-based K-8 setting, no one is highly qualified to teach Algebra.</p> <p>c) Of 21 independent study teachers in K-12, it appears that 12 teachers not highly qualified for grades 9-12.</p> <p>d) There may not be highly qualified math teachers in grades 9-12 at each resource center.</p>	<p><u>Proposed Remedies</u></p> <p>a) The material revision to the LVCS charter includes the following: a commitment to appropriate teacher assignments; an assurance regarding highly qualified status in accordance with applicable NCLB provisions; and that all teachers of English Learners will be appropriately credentialed to serve English Learners, with a CLAD, BCLAD or other equivalent CTC recognized EL certification.</p> <p>b) LVCS makes the following assurance in accordance with the proposed material revision: <u>No teachers will be offered a contract next year unless appropriately EL authorized. All teachers that are not currently EL-authorized will be applying for emergency EL credentials by June 1, which will provide teachers one year to take the test or complete all required coursework to obtain EL authorization.</u> Currently three teachers are not EL authorized; however none have EL students assigned to them. Currently there are less than 3 EL students attending LVCS.</p> <p>c) A credentialing analyst is working with LVCS to further investigate the highly qualified teacher-status in grades 9-12. In the meantime, LVCS has reassigned 9-12 students to single subject teachers who collaborate with other single subject teachers.</p> <p>d) The 8<sup>th</sup> grade Algebra teacher (classroom-based) is preparing to take the CSET for Algebra this summer, in order to obtain highly</p>	<p>3/7/12.</p> <p>2. See February 2012 LVCS Material Revision, p. 39, sent to CDE on 2/24/12.</p> <p>3. See draft Plan for Highly Qualified Employees, sent to CDE on March 26, 2012.</p>



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		<p>qualified status prior to the 2012-13 school year. There is only one 8<sup>th</sup> grade class at the Doyle site. In the interim, the teacher collaborates with an LVCS independent study teacher who is highly-qualified in math.</p> <p>e) The LVCS Board is scheduled to consider and adopt a Plan for Highly Qualified Employees at its regularly scheduled meeting on April 17, 2012.</p>	
#7	<p><b>INDEPENDENT STUDY PROGRAM</b></p> <p>Program objectives described in the petition including sharing on-site resources after school hours, sharing community outreach programs and assemblies, and participating in extracurricular activities at the site-based LVCS school.</p> <p>a) LVCS has enrolled students who are not in reasonable proximity to the LVCS campus and cannot reasonably utilize the resources described in the petition for independent study</p>	<p><u>Refutations</u></p> <p>a) Students enrolled in LVCS’s Independent Study program have complete access to resources, programs, and extracurricular activities at the LVCS site-based program. For example, students participate in Lassen County-sponsored activities with LVCS’s site-based students, including the Literature Jamboree and Science Fair. Students engage in field trips where interested, including most recently a trip to Lassen Volcanic Park and Mt. Rose. Further, LVCS Independent Study students, through their teachers, regularly access resources from the Doyle site such as textbooks, social studies newsletters, backpacks donated by the local social services agency, and web-based educational technology. These are just a few examples. Finally, all other LVCS programs are made available at each resource center based on interest and availability within the community. For example, students have the opportunity</p>	<p>1. See Exhibit A, LVCS 2/3/12 Response Letter, pp. 15- 16.</p> <p>2. See February 2012 LVCS Material Revision, p. 39, sent to CDE on 2/24/12.</p> <p>3. See February 2012 LVCS Material Revision, pp. 29-30, Appendix A (resource center classes) and</p>

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	<p>students.</p> <p>b) It is not clear whether the teachers administering the independent study program have access to the teacher training and development activities described in the petition.</p>	<p>to participate in community-based soccer and basketball leagues.</p> <p>If travel is not feasible for participation in LVCS activities or meetings, video conference options are set up at each resource center to provide access. We also point out that students, parents, teachers and staff that live in the rural areas served by LVCS are used to driving the long distances between cities and counties in which LVCS operates, but LVCS has created a program that allows success even if such transportation is unavailable.</p> <p>b) Professional development activities provided at the Doyle site are duplicated at each LVCS resource center so that all staff have access. Two of LVCS’s annual professional development days are dedicated to “all LVCS staff” days.</p> <p><u>Proposed Remedy</u></p> <p>a) The LVCS proposed charter material revision describes the resources that all non-classroom based students may access, access and a staff professional development calendar for 2011-12.</p>	<p>Appendix B (Professional Development Calendar), sent to CDE on 2/24/12.</p>
<b>II. ALLEGED VIOLATION OF LAW (EDUCATION CODE SECTION 47607(c)(4))</b>			
<b>#8</b>	<p><b>TEACHER CREDENTIALS</b></p> <p>CDE Concern: Not all LVCS</p>	<p><u>Refutations</u></p> <p>a) All teachers are appropriately credentialed according to their</p>	<p>1. See Exhibit B, list of employees</p>

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	<p>teachers possess the proper certificates or permits required by EC Section 47605(l).</p> <ul style="list-style-type: none"> <li>a) The CDE has been unable to verify the credential of at least one teacher.</li> <li>b) The CDE has been unable to verify whether EL pupils have been assigned to teachers who have authorization to each ELs.</li> </ul>	<p>teaching assignments (see Exhibit B).</p> <p><u>Proposed Remedies</u></p> <ul style="list-style-type: none"> <li>a) The material revision to the LVCS charter includes the following: a commitment to appropriate teacher assignments; an assurance regarding highly qualified status in accordance with applicable NCLB provisions; and that all teachers of English Learners will be appropriately credentialed to serve English Learners, with a CLAD, BCLAD or other equivalent CTC recognized EL certification.</li> <li>b) LVCS makes the following assurance in accordance with the proposed material revision: <u>No teachers will be offered a contract next year unless appropriately EL authorized. All teachers that are not currently EL-authorized will be applying for emergency EL credentials by June 1, which will provide teachers one year to take the test or complete all required coursework to obtain EL authorization.</u> Currently three teachers are not EL authorized; however none have EL students assigned to them. Currently there are less than 3 EL students attending LVCS.</li> </ul>	<p>along with credentialing assignments, also sent to CDE on 3/7/12.</p> <p>2. See February 2012 LVCS Material Revision, p. 39, sent to CDE on 2/24/12.</p>

# Exhibit A



LAW OFFICES OF MIDDLETON, YOUNG & MINNEY, LLP

FEBRUARY 3, 2012

VIA: ELECTRONIC MAIL & U.S. MAIL

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\*ALSO ADMITTED IN NEVADA

Brian Bauer, Chair, Advisory Commission on Charter Schools  
Members, Advisory Commission on Charter Schools:

Julie Baltazar

Dr. Vicki Barber

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Kelly Kovacic

Dr. John Porter

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State Board of Education

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Sacramento, CA 95814

**Re: Long Valley Charter School Response to California Department of Education Proposed Recommendations to Issue a Notice of Violation Pursuant to Education Code Section 47607(d) and Deny Request for Charter Material Revision**

Dear Chair Bauer, Members of the Advisory Commission on Charter Schools and Ms. Burr:

Our office represents Long Valley Charter School ("LVCS" or the "Charter School"), a charter school authorized by the State Board of Education ("SBE") in July 2010. We write today to respectfully request your consideration of the following response to the proposed recommendations of the California Department of Education ("CDE") to issue LVCS a Notice of Violation pursuant to Education Code Section 47607(d) and deny LVCS's request for a material revision, as noticed in the February 2012 Advisory Commission on Charter Schools ("ACCS") agenda Item 3.

## **I. EXECUTIVE SUMMARY**

As detailed in full below, we believe the ACCS should recommend that the SBE approve the request by LVCS for a material revision of its charter to expand its enrollment and operate in additional resource centers; and should not recommend the SBE issue a Notice of Violation pursuant to Education Code Section 47607(d). The CDE's staff report has such a devastating impact on LVCS pupils and personnel, and therefore, we feel it is crucial to respond thoroughly. However, we recognize that this

ACCS Chair Bauer, ACCS Members, SBE Executive Director Burr  
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letter is long and detailed and therefore, provide the following Executive Summary with the hope of making it more digestible.

The most critical and over-riding response by LVCS is simply as follows:

*“LVCS recognizes the error it has made in over-enrolling students and opening additional resource centers without seeking the permission of the State Board of Education. It wishes to ensure both the CDE and SBE that LVCS is a fiscally viable, responsibly governed, strongly administered, academically successful public school which serves a rural population that seeks the choices it offers. LVCS hopes that the SBE will allow it to make amends for its error in a way that does not impact students and personnel by approving the material revision with whatever conditions the SBE deems necessary to feel confident that LVCS is held accountable for future compliance.”*

➤ **The California Department of Education Staff Report and Recommendation to Issue a Notice of Violation is Procedurally Defective and Ignores Relevant Facts and the Law**

**A. The California Department of Education Staff Report and Recommendation States Multiple Invalid Bases for Revocation**

1. The Alleged Violations Regarding the Resource Centers and Enrollment Growth Do Not Allege Violations of the Charter School’s Charter as Required by Education Code Section 47607(c).
2. The Alleged Violations Regarding the Brown Act and Conflicts of Interest Allegedly Occurred Prior to Long Valley Charter School’s Approval by the State Board of Education in July 2010.
3. The Fiscal Capacity of Long Valley Charter School is Strong and Demonstrates the Charter School’s Sustainability.
4. The Charter School Utilizes, CSMC, an Experienced Back-Office Service Provider for Business Services.
5. All of Long Valley Charter School’s Teachers Meet Proper Credentialing Qualifications Pursuant to its Charter and the Law.
6. The Charter School has Three Strong Administrators.
7. The Long Valley Charter School Independent Study Program Operates in Compliance with the Charter.

**B. The California Department of Education Staff Report and Recommendation Ignores Relevant Facts and the Law**

1. The Additional Resource Centers are Legally Permissible.
2. By Law, the State Board of Education Cannot Impede Enrollment Growth of its Authorized Charter Schools.

ACCS Chair Bauer, ACCS Members, SBE Executive Director Burr  
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3. The California Department of Education's Proposed Remedy to Dis-enroll Students is Against Public Policy and Would Lead to Absurd Results.

➤ **The California Department of Education's Recommendation of Denial of the Long Valley Charter School Material Revision Fails to Follow the Applicable Legal Standard and Lacks Facts to Support Legally Compliant Findings Pursuant to the Standards and Criteria of Education Code Section 47605**

- A. The California Department of Education Staff Report and Recommendation of Denial is Not Based on the Material Revision Request That Long Valley Charter School Submitted on October 31, 2011.
- B. The California Department of Education Staff Report and Recommendation for Denial of the Long Valley Charter School Request for a Material Revision are in Direct Conflict with the Findings Made by the California Department of Education About the Substantively Identical Long Valley Charter School Charter Petition the California Department of Education Recommended for Approval in July 2010.
- C. The California Department of Education Staff Report and Recommendation for Denial of the Long Valley Charter School Request for a Material Revision Does Not Comply with the Standards and Criteria of Education Code Section 47605, and Lacks Facts to Support Legally Compliant Findings.
- D. The Applicable Legal Standard Encourages Approval of the Material Revision Request Submitted to the California Department of Education on October 31, 2011
- E. By Law, the State Board of Education Cannot Impede the Growth of Long Valley Charter School
- F. Denial of the Long Valley Charter School Material Revision Request Will Have a Devastating Impact on the Charter School

**II. CLARIFICATION REGARDING CHARTER ATTACHED TO AGENDA**

At the outset, we wish to explain the track-changes that appear in Attachment 1 to the ACCS agenda Item 3, the LVCS charter material revision. Attachment 1 includes three colors of "redlined" text. The red and purple text represents changes submitted by LVCS to the CDE in November 2010 to comply with the CDE/SBE conditions and technical amendments when the charter was approved by the SBE in July 2010. The red and purple text does not represent nor has it ever represented a material revision request from LVCS. As you know, CDE staff typically include standard language in charter petition agenda items, which recommends that "the SBE incorporate the following provisions in its approval action..." The CDE's July 2010 staff report



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recommending approval of the LVCS charter renewal petition stated the following recommendations, in pertinent part:<sup>1</sup>

- Modifications to the charter in accordance with the CDE report as set forth in detail in Attachment 2, and as follows:
  - Description of Educational Program, California *Education Code (EC)* Section 47605(b)(5)(A) and *California Code of Regulations*, Title 5 (5 CCR), Section 11967.5.1(f)(1): clarify aspects of the LVCS educational program, including a description of the high school curriculum and independent study program

Following the SBE's approval of the LVCS charter in July 2010, LVCS submitted the required charter modifications to the CDE in November 2010. After submittal, the LVCS received no feedback from CDE staff. The red and purple text in Attachment 1, which represent the November 2010 charter modifications, are thus considered part of the "final charter" as originally approved by the SBE in July 2010. The SBE already approved this language in July 2010 and it is therefore not at issue here.

The language requesting the material revision, however, is represented in the blue text in Attachment 1. The blue text includes the limited changes that serve as the October 31, 2011 LVCS material revision request, which only appear on pages 7, 11, 12, 13, and 67 of the proposed material revision. As noted in the previous section and in LVCS's October 31, 2011 letter to the CDE, the LVCS material revision has a limited purpose: to identify all currently operating resource centers, and specify an anticipated student population growth plan, discussed in detail herein. When the material revision was submitted on October 31<sup>st</sup>, LVCS submitted a clean version of the November 2010 charter with solely the changes shown in blue. Subsequently, the CDE asked us to provide them a version that also showed via "track changes" the technical amendments done in November 2010. In providing that document, the track changes showed the November 2010 technical amendments in red (for changes input by our Office) and purple (for changes input by LVCS). At that time, LVCS also had discussion with the CDE about re-opening a former resource center in Redding. The CDE suggested that LVCS include that Redding resource center as part of the material revision request. As such, on page 68 of the charter, you will see a note that a possible new resource center will be located in Redding if approved as part of the material revision. Confusingly, this shows in red text as it was input by our Office. We apologize for that confusion.

To briefly summarize:

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<sup>1</sup> See SBE July 14-15, 2010 meeting agenda, Item 19, Attachment 2:  
<http://www.cde.ca.gov/be/ag/ag/yr10/agenda201007.asp> (Accessed February 1, 2012).

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TEXT	SUBMISSION
Blue Text	Requested Material Revision October 31, 2011
Sentence on Page 58 Regarding Future Redding Resource Center	Requested Material Revision
All Other Red or Purple Text	Technical Amendments Made November 2010 in Response to July 2010 SBE approval

### III. BACKGROUND

We believe the following information provides important context to this matter and demonstrates LVCS's repeated attempts to work with the CDE to resolve every concern and issue that has been brought to LVCS's attention.

LVCS opened in 2000 as a conversion charter school under the oversight of the Fort Sage Unified School District until January 2010, when the district denied renewal of the LVCS charter. Following denial by the Lassen County Board of Education, LVCS submitted an appeal of the charter's non-renewal to the SBE. On July 14, 2010, the SBE approved the authorization of LVCS under the SBE's oversight by unanimous vote, 7 in favor and 0 against, following a unanimous recommendation of approval from the ACCS and positive recommendation from the CDE staff.<sup>2</sup> LVCS experienced a challenging 2010–11 school year, due in part to staff turnover and the former LVCS' Director's lack of communication with its new SBE authorizer.<sup>3</sup>

In November 2010, five former LVCS teachers resigned from the Charter School to teach at Mt. Lassen Charter School (Fort Sage School District's newly established charter), taking with them approximately 100 students from LVCS's Independent Student program. From November 12-30, 2010, CDE staff, acting in its oversight capacity on behalf of the SBE, encouraged LVCS to replace lost enrollment and/or revise its budget to ensure the school's fiscal viability. LVCS thereafter submitted a "worst case" budget to the CDE. On December 1, 2010, two teachers then resigned from their assignments at the LVCS Alturas resource center to teach at the Mt. Lassen Charter School, and Fort Sage Unified School District assumed LVCS's lease of the Alturas resource center. At that same time, the Westwood Charter School was closing resource centers to

<sup>2</sup> See SBE July 14-15 agenda item 19 and final minutes at <http://www.cde.ca.gov/be/ag/ag/yr10/agenda201007.asp> and <http://www.cde.ca.gov/be/mt/ms/documents/finalminutes071410.doc>, respectively. (Accessed on January 31, 2012).

<sup>3</sup> It is important to note that LVCS recognizes that during this time, the CDE was extremely frustrated with the former LVCS Director, and thus also LVCS. The LVCS Board replaced the former Director with the current Education Director, Cindy Henry, on July 20, 2011 (who was hired as Interim Director on June 14, 2011). The CDE has not raised any issues regarding lack of communication between LVCS and the CDE since that time. However, LVCS believes that it has not yet recovered its relationship with the CDE and hopes with the conditions expressed herein to re-earn the CDE's trust.

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come into compliance with Education Code Section 47605.1(c)<sup>4</sup>. As a result the teachers and students from those closing resource centers were looking for other public school opportunities; at the same time, LVCS was doing outreach to attract new students. LVCS met with the group and agreed that it was a great fit for the teachers and students. As a result, on December 10, 2010, LVCS hired nine teachers and enrolled approximately 175 new students to the LVCS Independent Study program, and also opened resource centers in Cottonwood, Redding<sup>5</sup>, and Portola, California.

**A. First Letter of Concern – June 20, 2011 – and LVCS Response**

LVCS received a letter of concern from the CDE dated June 20, 2011 regarding LVCS's resource centers, student enrollment, and governance and fiscal issues. On July 7, 2011, the newly hired LVCS Education Director and LVCS counsel met with CDE staff to discuss the letter of concern. This meeting was memorialized in a letter from CDE staff dated July 18, 2011, which outlined the CDE's suggested actions in order for LVCS to regain good standing as follows:

- **“Increased Enrollment**—Reduce student enrollment to conform to the terms of the charter petition and Memorandum of Understanding. According to CDE calculations, enrollment should be a maximum of 340 students.
- **Brown Act and Conflict of Interest**—Provide evidence of Brown Act and conflict of interest training for all current members of the LVCS board of directors.
- **Fiscal Capacity**—Describe how the LVCS board of directors will account for the duties of the position of Financial Director/Business Advisor.
- **Graduation Policy**—Rescind the new graduation policy and reinstate the original graduation policy approved by the SBE.”

On July 21, 2011, LVCS responded in full to each of the CDE's suggested actions by (1) submitting a request for a material revision of the charter petition to increase enrollment as allowed under Education Code Section 47605(d)(2)(C) (See further discussion, below), and to avoid the displacement of many highly-valued teachers and hundreds of charter school students; (2) scheduling a comprehensive governing board training for September 24, 2011 on the Brown Act and conflict of interest, process analysis and improvement, and strategic planning, with Education Synergy Consulting; (3) providing a breakdown of the duties of the former Financial Director/Business Advisor position as split between the newly hired third-party business services provider, Charter School Management Corporation, and the LVCS Education Director, with a majority of duties assigned to the former; and (4) confirming that the LVCS Board had rescinded

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<sup>4</sup> Limitations on locations of resource centers in adjacent counties.

<sup>5</sup> Note that the Redding resource center is not open. In a letter dated October 27, 2011 to the CDE, LVCS clarified that, “LVCS has closed the Redding resource center, and will not re-open it unless and until prior approval is obtained from the CDE and SBE.” [Original footnote.]

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the May 10, 2011 graduation policy and reinstatement of the original graduation policy approved by the SBE.

On August 2, 2011, the CDE notified LVCS that it must resubmit its proposed material revision along with any supporting documentation and a narrative explaining the need for the material revision by August 18, 2011 in order for the item to be considered by the SBE at its November 2011 meeting. LVCS submitted the requested documentation on August 18, 2011 and began planning for the September 28, 2011 ACCS meeting. On September 26, 2011, however, LVCS requested the material revision be removed from the ACCS agenda for two reasons: (1) inaccurate information that was posted regarding LVCS's Program Improvement status (the posting stated LVCS was in Year 1 of Program Improvement, when LVCS is not in Program Improvement. This has since been corrected); and (2) additional time to respond to the CDE staff's unexpected recommendation of denial of the material revision request. Also on September 26, 2011, LVCS requested a meeting with CDE staff with the purpose of considering the conditions under which the CDE would be comfortable with the material revision request. As of the date of this letter, the CDE has not agreed to this request despite LVCS's repeated requests and phone calls to meet with its authorizer.

#### **B. Second Notice of Concern – October 25, 2011 – and LVCS Response**

By letter dated October 25, 2011, the CDE sent LVCS a second letter of concern about LVCS's resource centers, student enrollment, and the LVCS Independent Study program. The CDE also requested LVCS provide evidence that the LVCS board of directors will comply with the following actions and timelines no later than November 10, 2011:

- “A letter must be sent to all families of currently enrolled students and staff that may be affected by this change no later than **March 2, 2012**, that describes the possible closure of unauthorized resource centers.
- Resource centers outside of Lassen County cease to operate no later than **June 29, 2012**, unless the SBE approves a material revision to the LVCS charter that includes a revised plan for independent study and locations of resource centers.
- Student enrollment must not exceed the conditions set forth by the MOU, specifically no more than 340 students no later than **June 29, 2012**, unless the SBE approves a material revision of the LVCS charter that includes new enrollment targets and a supporting budget with cash flow projections.”

On October 27, 2011, LVCS responded to the CDE's second letter of concern with over 100 pages of information and documentation proposing a resolution to each of the CDE's concerns (See Attachment A<sup>6</sup>). The cover letter to this packet, which was not included in the

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<sup>6</sup> Attachment A includes only the cover letter to this packet, dated October 27, 2011. LVCS emailed all ACCS members the complete packet with all exhibits on January 30, 2012, along with a timeline, testimonials, and

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ACCS's meeting materials for its February 2012 meeting nor referenced in the CDE staff report, stated in pertinent part:

"... The Charter School recognizes that it failed to seek approval of a material revision of its charter school prior to the opening of the Cottonwood, Redding,<sup>7</sup> and Portola resource centers and prior to enrolling 140 additional students for 2011-12 as required by the MOU.

The Charter School realizes the huge impact its mistake could have on 140 currently enrolled students and 13 employees, all of whom are doing well within the new and improved Long Valley Charter School family. The Charter School has spent some time considering a plan that could resolve the concerns of the CDE and SBE without the impact on the students and employees. The following proposal provides for an opportunity for the Charter School to demonstrate its ability to successfully operate these additional resource centers and serve its additional population..."

In the same letter, LVCS proposed resolutions to the CDE's concerns regarding:

1. **Board Capacity**, including: (1) Exhibit A, an LVCS Board resolution recognizing and formally apologizing for its errors, recognizing the impact its errors had on its own students and employees, and authorizing Cindy Henry to resubmit its request for a material revision; (2) Exhibit B, Board training materials; (3) Exhibit C, a letter that was sent to all SBE-authorized charter school explaining how critical it is to comply with the terms of the MOU and the major impact the actions of the LVCS Board had on the survival of the charter school.
2. **Educational Program**, including: (1) Exhibit D, the redline version of the charter's educational program; (2) video linkages to all courses taught at the Charter School, available in all LVCS resource centers; (3) descriptions of the Cottonwood and Portola resource centers, along with schedules, illustrating the learning and activities that take place at those locations; (4) a YouTube video demonstrating the learning and activities that take place in a resource center; and (5) Exhibit E, a benchmark report showing the results of the first testing from Scantron Performance Series.
3. **Reporting** (fiscal, board governance, and educational program monitoring), including a proposal to send the following reports to the CDE *in addition to those already required in the MOU*:

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strategic plan. The same was also mailed to SBE Member Williams on January 3, 2012. Please contact us at your earliest convenience if you did not receive this documentation from LVCS.

<sup>7</sup> "LVCS has closed the Redding resource center, and will not re-open it unless and until prior approval is obtained from the CDE and SBE." [Original footnote.]



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- a. A minimum of four reports per year on benchmark assessments, pulled from DataDirector.
- b. Monthly student enrollment report.
- c. All agendas, minutes, and board packets for monthly Board of Directors meetings.
- d. Monthly financial reports.
- e. A reporting on the educational program for each trimester, which would include but not be limited to, student achievement data, updates with regard to improvements within the resource centers, and any other info requested by the California Department of Education.

LVCS also requested that the CDE visit the resource centers and observe the learning that is occurring at each learning center. Finally, LVCS recognized “the commitments made herein as fully incorporated material provisions of the charter. As such, any violation of a commitment shall subject the Charter School to possible revocation action pursuant to Education Code Section 47607.” We believe that those commitments could serve as conditions to the approval of the material revision by the SBE.

Finally, on October 31, 2011, LVCS submitted to the CDE a revised request for a material revision of its charter to identify all currently operating resource centers, specify an anticipated student population growth plan, and clarify that “the site-based and independent study programs at LVCS are not distinct from one another – they are one unified educational program.” (See Attachment B).<sup>8,9</sup> Once again, LVCS included a request to meet with CDE to discuss the proposed material revision as well as steps already undertaken by LVCS to further address the CDE’s concerns to ensure resolution to the CDE’s satisfaction.<sup>10</sup> To date, the CDE has not contacted LVCS to schedule a meeting nor notify LVCS that its October 27 “Resolution Letter” was insufficient to address the CDE’s concerns. Instead, LVCS was disappointed to learn of the CDE’s apparent dissatisfaction with LVCS’s repeated attempts to regain good standing with its authorizer when it received notice of the ACCS’s February 2012 meeting agenda and the contents of Item 3, addressed below.

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<sup>8</sup> To avoid confusion, Attachment B includes only the cover letter to this submission, dated October 27, 2011. The original submission included the charter petition as an enclosure.

<sup>9</sup> Subsequently, LVCS submitted another version of the material revision to the CDE by letter and attachment dated November 2, 2011, at the CDE’s request, indicating that “pages 7, 11, 12, 13, and 67 of the proposed material revision have been revised to reflect LVCS’s material revision request. The changes are shown in redline form for the ease of your review. The remaining charter content has not been altered.” (See Attachment C for cover letter). The CDE then requested that the charter include separate redlining to reflect the original changes made and submitted to the CDE in November 2010 to comply with the CDE/SBE conditions and technical amendments (see Footnote 1), which LVCS submitted to the CDE on November 4, 2011, and is included as Attachment 1 to the ACCS February 2012 agenda materials for Item 3.

<sup>10</sup> LVCS also requested a meeting in its November 2, 2011 letter to the CDE, stating “I look forward to setting up a meeting with you to discuss the LVCS material revision and the steps already undertaken to address the CDE’s concerns.”

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**IV. THE CALIFORNIA DEPARTMENT OF EDUCATION STAFF REPORT AND RECOMMENDATION TO ISSUE A NOTICE OF VIOLATION IS PROCEDURALLY DEFECTIVE AND IGNORES RELEVANT FACTS AND THE LAW<sup>11</sup>**

**A. The California Department of Education Staff Report and Recommendation States Multiple Invalid Bases for Revocation**

The CDE staff report states that the CDE proposes to recommend that the SBE issue a Notice of Violation pursuant to Education Code Section 47607(d) “because the CDE believes that LVCS has committed material violations of the conditions, standards, and/or procedures set forth in the charter and has violated *EC* Section 47605(l)... The CDE believes that evidence exists to support the finding that LVCS committed material violations and violated other provisions as described below.” In sum, these alleged violations are stated as follows:

Violations of the Conditions of the Charter (Education Code Section 47607(c)(1))

- Resource Centers
- Enrollment
- Brown Act
- Conflict of Interest
- Fiscal Capacity
- Teacher Qualifications
- Independent Study Program

Violations of Law (Education Code Section 47607(c)(4))

- Teacher Credentials

**1. The Alleged Violations Regarding the Resource Centers and Enrollment Growth Do Not Pertain to the Charter School’s Charter as Required by Education Code Section 47607(c)**

The alleged violations regarding LVCS’s resource centers and enrollment growth do not allege violations pertaining to the Charter School’s charter as required by Education Code Section 47607(c). The CDE staff report claims that the LVCS’s opening of the additional resource centers violates the SBE’s Conditions on Opening and Operation, and that LVCS’s increased student enrollment violates the Memorandum of Understanding (“MOU”). Please note that a violation of the Conditions on Opening and Operation or the MOU may not form the basis of a revocation of the charter school. Education Code Section 47607(c) states:

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<sup>11</sup> We note that as of the date of this letter, the CDE has not issued a “Notice of Violation draft letter,” referenced as “Attachment 1” in the CDE staff report on page 1 of Item 3 of the ACCS February 2012 agenda. We therefore reserve the right to supplement and/or amend this response upon issuance of said Notice of Violation, if any.



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- “(c) A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:
- (1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
  - (2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
  - (3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
  - (4) Violated any provision of law.” (Emphasis added.)

Title 5 of the California Code of Regulations, Section 11965(f)(1) provides, in part, as follows:

“‘Notice of Violation’ means the written notice of a chartering authority’s identification of one or more specific alleged violations by the charter school based on the grounds for revocation specified in Education Code section 47607(c). This notice shall identify all of the following:

- (1) The charter school’s alleged specific material violation of a condition, standard, or procedure set out in the school’s charter pursuant to Education Code section 47607(c)(1); ...” (5 CCR §11965(f)(1)) (Emphasis added.)

Further, we note that the Cottonwood and Portola resource centers were opened in December 2010 – over three months after the Charter School commenced operations for the 2010–11 school year. The period of time for the CDE’s enforcement of the SBE’s Conditions on Opening and Operation had passed by the time the resource centers had opened in December 2010, as they are “pre-opening conditions,” or conditions that must be met prior to the opening of the charter school. Thus, because the additional resource centers were not in existence in September 2010 and the pre-opening conditions by definition no longer apply after the Charter School has opened, this issue is moot and is an invalid basis for revocation.

Accordingly, the alleged material violations pertaining to LVCS exceeding agreed-upon enrollment limits in the MOU, and LVCS’s admitted failure to receive approval for its resource centers as required by the SBE Conditions on Opening and Operation are not violations of the Charter School’s charter and are therefore not valid bases for revocation. (See further discussion on the LVCS resource centers, below).

## **2. The Alleged Violations Regarding the Brown Act and Conflicts of Interest Allegedly Occurred Prior to Long Valley Charter School’s Approval by the State Board of Education in July 2010**

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Three of the six alleged violations regarding the Brown Act and conflicts of interest are also legally impermissible bases for a revocation action. Of the two Brown Act violations the CDE alleges to have occurred on April 21, 2010 and August 23, 2010, only the latter allegedly occurred during LVCS's present charter term under SBE authorization that began in July 2010. Regarding the alleged August 23, 2010 Brown Act violation, we understand that immediately prior to the August 23, 2010 LVCS Board meeting, the former LVCS Education Director had been threatened by the contractor's attorney to pay the contractor or risk litigation. LVCS misunderstood the Brown Act requirements for posting closed session meeting agenda items and the limited bases for going into closed session, and has taken action, addressed below, to prevent such occurrences in the future.

Similarly, of the four alleged conflict of interest violations, only two are alleged to have occurred during LVCS's present charter term under SBE authorization. Importantly, those two alleged violations of August 12, 2010 and August 23, 2010 are immaterial and do not present any issues of conflict of interest. The August 12, 2010 Brown Act allegation involved a purchase of land from the husband of a LVCS teacher's aide. The LVCS Board's purchase was clearly an arms-length transaction as the landowners were not a part of the LVCS Board and not a part of the Board's decision-making and vote. Regarding the alleged August 23, 2010 violation, the CDE has failed to establish that the board member had any financial interest in the project, stating "The CDE believes that Board Member Harkness may have had a financial interest" (Emphasis added.) Thus, the CDE has not presented a concrete allegation to which we can respond. We also note that ultimately the LVCS Board did not utilize the facility at issue.

LVCS is aware, however, that even a perception of impropriety should be handled by disclosure and recusal of the board member from the board meeting. Further, regardless of the dates of the alleged violations of the Brown Act and conflicts of interest, we do not mean to suggest that LVCS has not taken these allegations seriously and has in fact taken actions to ensure full compliance with all Brown Act, and governing board duties and responsibilities including conflicts requirements, through comprehensive training.

Contrary to statements made in the CDE staff report and recommendation, all LVCS board members have participated in governance training including the Brown Act, conflicts of interest, and best practices in board governance. The Brown Act training occurred separately from the training materials referenced in the CDE staff report. In fact, in a letter sent to the CDE dated November 30, 2010, the former LVCS Education Director confirmed that the Board President attended training from the Charter Schools Association on November 13, 2010, and Board member Wells, Harkness, Anderson, and Gotcher were scheduled to attend training at the Lassen County Office of Education on January 16, 2011. (See Attachment D). The new Board member Campbell is scheduled to attend Brown Act training on February 14, 2012.

Also contrary to the CDE staff report, four out of five LVCS board members attended comprehensive governance training on conflicts and best practices for effective governance on September 24, 2011. (See Attachment E). The training provider, Education Synergy Consulting, provided LVCS a "Best Practices Assessment Narrative and Action Plan," in December 2011,

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which is referenced in the CDE staff report. (See Attachment F). Although the “Best Practices Assessment Narrative and Action Plan” was only released to LVCS just over a month ago, the LVCS Board has started the process of addressing the recommendations made to enhance and strengthen LVCS board governance. The LVCS Board plans to adopt the “Best Practices Assessment Narrative and Action Plan” as the Board’s Strategic Plan in February 2012. Further, the LVCS Board has had in place a board policy on fiscal controls and general purchasing procedures since March 8, 2011, which was sent to the CDE on January 19, 2012 but not referenced in the CDE staff report and recommendation. (See Attachment G). Finally, we note that the one board member who did not attend the comprehensive governance training had not been present at any LVCS Board function since June 2011, and resigned in December 2011. New Board member Campbell is already scheduled to be trained on conflicts law and best practices for effective governance by Education Synergy Consulting on February 14, 2012.

We note the CDE staff report and recommendation fails to present evidence or factual findings based in law to demonstrate a violation occurred. Instead, the CDE staff report and recommendation appears to be based upon CDE opinion, which is legally impermissible as it is not a fact that forms substantial evidence to support its allegations.

### **3. The Fiscal Capacity of Long Valley Charter School is Strong and Demonstrates the Charter School’s Sustainability**

In LVCS’s July 21, 2011, response to the CDE’s first Notice of Concern, LVCS fully addressed its fiscal capacity by providing a breakdown of the duties of the former Financial Director/Business Advisor position. LVCS clarified that the former position had been split between its third-party business services provider, Charter School Management Corporation (“CSMC”), and the LVCS Education Director. The LVCS Education Director has served as the main point of contact with CSMC since their contract was signed in December 2010, and provides a “checks and balances” role between the school and CSMC. The CDE has not articulated any concern with the credentials or past performance of CSMC, and we assure you that all duties of the former Financial Director/Business Advisor position, and more, have been subsumed by this arrangement. Accordingly, this is an invalid basis for revocation.

The CDE staff report states, “... the CDE has serious concerns regarding the lack of fiscal capacity,” but provides no facts or evidence to support this broad assumption. We point out that not only is this an invalid basis for revocation, but LVCS demonstrates strong fiscal capacity. The school’s 2010–11 audit was unqualified and contained no findings (see Attachment H), and the LVCS Board has a Strategic Plan which it plans to adopt in February 2012. After a challenging year, LVCS’s student enrollment and staffing are now stable and have the capacity to grow further. Finally, the LVCS budget is balanced, with projections for future healthy fiscal reserves.

### **4. All of Long Valley Charter School’s Teachers Meet Proper Credentialing Qualifications Pursuant to its Charter and the Law**

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The CDE staff report and recommendation alleges violations of the charter and law, Education Code Section 47605(l), in its claims regarding LVCS's teachers' qualifications. Information from LVCS was sent to the CDE on January 17 and 18, 2012, upon request of the CDE staff for more information regarding teacher credentialing. LVCS sent a full response to the CDE on January 18, 2012, including a letter describing the manner in which LVCS meets the NCLB highly qualified teacher requirements for Independent Study, as defined by the "Highly Qualified Teachers in Independent Study" page on the CDE website.<sup>12</sup> Further, LVCS attached an Excel spreadsheet detailing each of the qualifying credentials of its independent study teachers (See Attachment I). Both the letter and the spreadsheet were not included with the February 2012 ACCS agenda materials for Item 3. Contrary to statements made in the CDE staff report, this spreadsheet documents that LVCS "compl[ies] with all applicable portions of the No Child Left Behind Act [NCLB]," and that "all LVCS current teachers have completed ELD course work or testing (SDAIE) to be able to instruct English Learners."

The CDE staff report states it "finds evidence that –

- a. Some, but not all, LVCS teachers have an English learner authorization.
- b. Of the six teachers who are assigned to the site-based K–8 setting, no one is highly qualified to teach Algebra.
- c. Of the 21 teachers who teach independent study to grades kindergarten through twelve, it appears that 12 are properly credentialed and highly qualified to teach grades kindergarten through eight (K–8); however these 12 teachers may not be highly qualified for any classes in grades nine through twelve.
- d. There may not be highly qualified math teachers in grades nine through twelve at each resource center."

All of the above statements are false for the following reasons, as further documented in Attachment I:

- a. LVCS currently has three EL students who are all placed with qualified teachers. Two students are placed with Erin Klemesrud, and one is placed with Ann Weaver. Both have authorization codes on their credentials to allow them to teach EL students. The LVCS Independent Study program ensures appropriately authorized personnel are placed at each LVCS resource center, ensuring that any EL students that enroll are appropriately placed. Please see Attachment I for LVCS's credential information, which highlights all the specific codes that allow the teaching of EL students.

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<sup>12</sup> See <http://www.cde.ca.gov/sp/eo/is/appnclbtris.asp> (Accessed February 2, 2012).

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- b. LVCS fully complies with California Education Code Section 44258.1, which allows the holder of a credential authorizing instruction in a self-contained classroom to teach in any of grades five to eight, inclusive, in a middle school if the holder of the credential teaches two or more subject for two or more periods per day to the same group of pupils.
- c. LVCS uses the “Collaborative Teaching Approach” to meet the federal requirement that all NCLB core academic subjects be taught by teachers who have demonstrated subject-matter competence for its highly-qualified teachers in the LVCS Independent Study program. This approach is further explained on the CDE website, “Highly Qualified Teachers in Independent Study,” at: <http://www.cde.ca.gov/sp/eo/is/appnclbtris.asp#collaborative>. Please also see the LVCS cover letter to the CDE, dated January 18, 2012, in Attachment I for more information.
- d. LVCS has NCLB-compliant highly qualified teachers in math at all facilities, including staff teaching students in grades 9-12 at each LVCS resource center. Please see Attachment I for more information.

Accordingly, LVCS meets all teacher qualifications requirements as stated in the LVCS charter. Thus, this is an invalid basis for revocation of the LVCS charter.

In addition, the CDE staff report and recommendation alleges LVCS has violated Education Code Section 47605(l), stating: “The CDE has been unable to verify the credential of at least one teacher and has been unable to verify whether English learner pupils have been assigned to teachers who have authorization to teach English learners.” First, we note that the CDE’s statements are not based on facts, evidence, or even a concrete allegation against LVCS; and thus are an invalid basis for revocation. Second, the January 18, 2011 spreadsheet LVCS sent to CDE clearly states that all LVCS teachers’ credentials are compliant with the requirements of Education Code Section 47605(l). Finally, all teachers assigned to teach English learner students hold the appropriate authorization.

## **5. The Long Valley Charter School Independent Study Program Operates in Compliance with the Charter**

The CDE’s allegations regarding students’ access to resources, programs, and extracurricular activities at the site-based program in Doyle are false and not based on facts, evidence, or a concrete allegation. CDE’s conjecture and opinion are invalid bases for revocation.

Students enrolled in LVCS’s Independent Study program have complete access to resources, programs, and extracurricular activities at the LVCS site-based program. For example, students participate in Lassen County-sponsored activities with LVCS’s site-based students, including the Literature Jamboree and Science Fair. Students engage in field trips where



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interested, including most recently a trip to Lassen Volcanic Park and Mt. Rose. Further, LVCW Independent Study students, through their teachers, regularly access resources from the Doyle site such as textbooks, social studies newsletters, backpacks donated by the local social services agency, and web-based educational technology. These are just a few examples. Finally, all other LVCS programs are made available at each resource center based on interest and availability within the community. For example, students have the opportunity to participate in community based soccer and basketball leagues.

The CDE claims that “LVCS has enrolled students who are not in reasonable proximity to the LVCS campus and cannot reasonably utilize the resources described in the petition for independent study students.” However, families regularly participate in LVCS Board meetings and the Advisory Council. In fact, the newly elected Board member Campbell resides in Portola. If travel is not feasible for participation in LVCS activities or meetings, video conference options are set up at each resource center to provide access. We also point out that students, parents, teachers and staff that live in the rural areas served by LVCS are used to driving the long distances between cities and counties in which LVCS operates, but LVCS has created a program that allows success even if such transportation is unavailable.

Pages 9 through 11 of the LVCS charter include a complete description of the LVCS Independent Study program. Note that this description appears in red text in Attachment 1 to the ACCS February 2012 agenda, Item 3; however, as described earlier in this letter, this text is not part of LVCS’s request for a material revision. This text was added by LVCS and submitted to the CDE in November 2010 to comply with the CDE/SBE conditions and technical amendments when the LVCS charter was approved by the SBE in July 2010. The CDE staff report states that, “In response to the CDE’s letters of concern, LVCS is requesting a material revision of its charter to remedy this issue.” However, as specified earlier herein, LVCS is not requesting any substantive material revisions to its educational program. Instead, LVCS has submitted a request for a material revision of its charter to identify all currently operating resource centers and specify an anticipated student population growth plan. As stated in LVCS’s October 31, 2011 letter to the CDE, LVCS’s intent is to clarify that “the site-based and independent study programs at LVCS are not distinct from one another – they are one unified educational program.”

The CDE staff report also states that, “it is not clear whether the teachers administering the independent study program have access to the teacher training and development activities described in the petition.” If the CDE had simply inquired about this issue with LVCS, the CDE would have discovered that professional development activities provided at the Doyle site are duplicated at each LVCS resource center so that all staff have access. Two of LVCS’s annual professional development days are dedicated to “all LVCS staff” days.

Accordingly, CDE’s allegations regarding LVCS’s Independent Study program are an invalid basis for revocation.

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**B. The California Department of Education Staff Report and Recommendation Ignores Relevant Facts and the Law**

**1. The Additional Resource Centers are Legally Permissible**

As noted earlier, LVCS has repeatedly recognized its mistake and apologized for not notifying the CDE of its plans to open additional resource centers after the opening of its school. In its October 27, 2011 letter to the CDE, LVCS states that, “The Charter School recognizes that it failed to seek approval of a material revision of its charter school prior to the opening of the Cottonwood, Redding,<sup>13</sup> and Portola resource centers...” The LVCS Board of Directors also passed a resolution to this effect, stating in pertinent part:<sup>14</sup>

“WHEREAS, the Board of Directors of the Long Valley Charter School wishes to formally apologize for its error in opening these resource centers and increasing its population without the formal approval of its Authorizer;”

LVCS’s resource centers are crucial to the LVCS Independent Study program and its ability to deliver a quality education to children in this rural part of California. As of the date of this letter, 100 students attend the resource center in Cottonwood, 114 students attend the resource center in Portola, and 176 students attend the resource center in Susanville.

The CDE has not indicated any facts or law to indicate why it disagrees with the addition of these resource centers other than the failure of LVCS to get prior permission. LVCS has invited the CDE to visit these resource centers at LVCS’s cost, and thus far, only one CDE visit has occurred at the Cottonwood resource center. All LVCS facilities are properly permitted and meet the requirements of Education Code Section 47610 regarding State Building Code compliance. All facilities are connected by audio/video-feed such that students can view classes at each from another facility or from home.

**2. By Law, the State Board of Education Cannot Impede the Growth of Long Valley Charter School**

Education Code section 47605(d)(2)(C) states:

“In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.” (Emphasis added.)

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<sup>13</sup> “LVCS has closed the Redding resource center, and will not re-open it unless and until prior approval is obtained from the CDE and SBE.” [Original footnote.]

<sup>14</sup> See Exhibit A to Attachment A, LVCS October 27, 2011 cover letter to CDE re: LVCS Resolution of Concerns.



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The demand for LVCS has led to the current enrollment of 486 students. While LVCS has recognized its failure to follow the MOU provisions requiring LVCS to seek a material revision prior to increasing its enrollment from its originally approved charter, the above-quoted law is clear that student demand drives enrollment expansion, not the Authorizer. As such, not only does LVCS's enrollment growth not provide a basis for revocation, but the SBE must make reasonable efforts to accommodate the growth of the Charter School.

### **3. The California Department of Education's Proposed Remedy to Dis-enroll Students is Against Public Policy and Would Lead to Absurd Results**

CDE staff have repeatedly requested that LVCS "reduce its student enrollment to conform to the terms of the charter petition and Memorandum of Understanding. According to CDE calculations, enrollment should be a maximum of 340 students." (First and Second Notice of Violation). The consequences of this action, however, are against public policy and implementation would lead to absurd results. We ask, how should LVCS determine which students to dis-enroll? By reverse public random lottery? By adopting a last enrolled, first dis-enrolled policy? How should LVCS determine which teachers to release? These questions are speak to the practical reality of what is being requested; however, they may be avoided by permitting LVCS's enrollment expansion as required by law. We believe that any action on the part of LVCS to dis-enroll existing pupils to meet the 340 student cap could expose LVCS to liability.

## **V. THE CALIFORNIA DEPARTMENT OF EDUCATION'S RECOMMENDATION OF DENIAL OF THE LONG VALLEY CHARTER SCHOOL MATERIAL REVISION FAILS TO FOLLOW THE APPLICABLE LEGAL STANDARD AND LACKS FACTS TO SUPPORT LEGALLY COMPLIANT FINDINGS PURSUANT TO THE STANDARDS AND CRITERIA OF EDUCATION CODE SECTION 47605**

### **A. The California Department of Education Staff Report and Recommendation of Denial is Not Based on the Material Revision Request That Long Valley Charter School Submitted on October 31, 2011**

Inexplicably, all of the CDE's findings included in the CDE staff report contained in Item 3 of the ACCS February 2012 agenda do not address LVCS's October 31, 2011 request for a material revision. Instead, the CDE makes findings about the red and purple text included in Attachment 1 to the ACCS February 2012 agenda Item 3. As noted earlier herein, the red and purple text does not represent nor has it ever represented a material revision request from LVCS.

The language of LVCS's request for a material revision is represented in the blue text in Attachment 1. The blue text includes the limited changes that serve as the October 31, 2011 LVCS material revision request, which only appear on pages 7, 11, 12, 13, and 68 of the proposed material revision. As noted in the previous section and in LVCS's October 31, 2011 letter to the CDE, the LVCS material revision has a limited purpose: to identify all currently

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operating resource centers and one proposed resource center, and specify an anticipated student population growth plan.

We point out that LVCS's request for a material revision was not intended as an opportunity to rewrite the entire charter petition that was just unanimously approved by the SBE a year and a half ago with a positive recommendation by the CDE. In fact, such a substantial rewriting of the charter petition would more properly be submitted during charter renewal, when LVCS will be required to first submit its petition for charter renewal to the Fort Sage School District pursuant to Education Code Section 47605(k)(3). Instead, the requested material revision is intended to serve a more narrow purpose. We argue that nothing in the Education Code requires a charter school to substantially redraft its entire education program just because it is submitting a request for a material revision intended for a narrow purpose. In fact, the only requirement of a material revision is stated in Education Code Section 47607(a)(2) as follows:

“Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.”

There have been no new laws enacted since the LVCS charter was originally granted by the SBE in July 2010 that would require an update to the charter document, thus Education Code Section 47607(a)(2) does not apply in this matter. Accordingly, LVCS has made a limited request to update its charter to ensure compliance and address previous concerns of the CDE staff.

**B. The California Department of Education Staff Report and Recommendation for Denial of the Long Valley Charter School Request for a Material Revision are in Direct Conflict with the Findings Made by the California Department of Education About the Substantively Identical Long Valley Charter School Charter Petition the California Department of Education Recommended for Approval in July 2010**

Because the CDE has made findings about the LVCS charter that was already approved by the SBE in July 2010 – it is important to note that the CDE's findings and recommendation for denial as presented in the ACCS February 2012 meeting agenda, Item 3, are in direct conflict with the findings made by the CDE about the substantively identical LVCS charter petition the CDE recommended for approval in July 2010. We discuss pertinent findings made by the CDE and approved by the SBE in July 2010 in the section, below. However, we note the following “Overall California Department of Education Evaluation” made regarding the LVCS charter renewal petition:<sup>15</sup>

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<sup>15</sup> See SBE July 14-15, 2010 meeting agenda, Item 19, Attachment 2:  
<http://www.cde.ca.gov/be/ag/ag/yr10/agenda201007.asp> (Accessed February 1, 2012).

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“The LVCS petition includes all of the elements required under statute and regulation for the renewal of a charter school. The California Department of Education (CDE) recommends approval of the LVCS petition as the LVCS charter meets the pre-requisites for renewal under California *Education Code* (EC) Section 47607(b) by attaining its API growth target in the prior year, receiving a decile rank of four on the API as compared to demographically similar schools, and by exceeding the academic performance of schools its students would otherwise attend. In addition, the petition describes an educational program likely to meet the needs of pupils within the community where the school will locate; petitioners are demonstrably likely to implement the program set forth in the petition; the petition includes the required affirmations; and the petition contains reasonably comprehensive descriptions of the 16 elements pursuant to EC Section 47605(b)(5)....” (Emphasis added.)

C. **The California Department of Education Staff Report and Recommendation for Denial of the Long Valley Charter School Request for a Material Revision Does Not Comply with the Standards and Criteria of Education Code Section 47605, and Lacks Facts to Support Legally Compliant Findings**

Although we find the CDE staff report and recommendation for denial to be immaterial because the CDE reviewed the provisions of the 2010 approved charter and not the material revision, we provide the following responses for the ACCS’s information. The CDE’s stated reasons for recommending denial of the LVCS charter material revision request are reprinted below in text boxes, followed by the Charter School’s response, in plain text.

1. Pursuant to EC Section 47605(b)(1), the revised petition presents an unsound educational program for the pupils to be enrolled in the revised independent study program at the charter school.

The criteria for the SBE’s finding of an “unsound educational program,” are stated in Education Code Section 47605(b)(1) and Title 5 of the California Code of Regulations Section 11967.5.1(b), which states a charter petition shall be “an unsound educational program” if it is either of the following:

- (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.
- (2) A program that the SBE determines not likely to be of educational benefit to the pupils who attend.

The CDE’s finding that the LVCS charter “presents an unsound educational program” directly conflicts with its July 2010 finding that the LVCS charter “does not present evidence of

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an unsound educational program.” In the comments section of the July 2010 CDE staff report, the CDE staff made the following findings:<sup>16</sup>

“There is nothing in the LVCS petition indicating that its educational program is unsound. Based on API and AYP data, LVCS provides students a higher-performing academic program than the other schools in the Fort Sage USD and the districts from which LVCS independent study students reside. Among students in the independent study program, 82 percent of students reside in districts that did not meet AYP goals, and 85 percent of students reside in districts with AYP percent proficient rates in ELA and mathematics that generally range from 5 to 20 percent lower than percent proficient rates at LVCS. There is no reasonable evidence to suggest that students at LVCS would suffer harm from any program at LVCS or not be more likely to show academic achievement than if they attended the other schools in their districts of residence.”

Please see Attachment J, LVCS’s 2011–12 School Achievement Plan and Winter Benchmark Report, for a summary of the school’s academic progress and achievement. Accordingly, the CDE has no legal basis to reverse its findings regarding the same charter petition it recommended approval of, and the SBE approved, in July 2010.

1(a) The independent study program described in the revised petition does not adequately address how students will learn. The LVCS governing board adopted policies for independent study that require meetings at least once every 20 days, but there is little description in the LVCS board policies or in the LVCS petition to address pupil interaction with teachers. Although LVCS has given the CDE verbal descriptions of activities and a YouTube video link that shows pupils in various settings, the petition does not provide adequate description of an educational program that would be beneficial to pupils. The revised petition states that teachers will assign and evaluate work, monitor attendance, and document student progress toward course completion; however, there is little, if any, detail describing how teachers will instruct pupils or support pupils who are not achieving their goals.

As stated in our response above, the CDE already found the LVCS charter “does not present evidence of an unsound educational program” in its July 2010 report to the SBE. This charter was approved by the SBE in July 2010 and the substance of the LVCS educational program is not at issue here.

It is interesting to note that in the CDE’s July 2010 staff report, the CDE found that, with the addition of “technical amendments,” “the petition overall present[s] a reasonably comprehensive description of the educational program” pursuant to Education Code Section

<sup>16</sup> See SBE July 14-15, 2010 meeting agenda, Item 19, Attachment 2:  
<http://www.cde.ca.gov/be/ag/ag/yr10/agenda201007.asp> (Accessed February 1, 2012).

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47605(b)(5)(A) and Title 5 of the California Code of Regulations Section 11967.5.1(f)(1). In the comments section of the July 2010 CDE staff report, the CDE staff made the following findings:

“LVCS offers a standards-based curriculum that includes a site-based program for pupils in kindergarten through eighth grade and a nonclassroom-based program for pupils in kindergarten through grade twelve. The site-based program uses multi-age settings, technology and community service projects. The non-classroom based program provides support for family-based instruction (“home schooling”) including access to assemblies, community service projects, and extra-curricular activities through the site-based program.

The guiding principles of LVCS are based on the Efficacy Approach, which affirms that one is not “born smart,” but one “gets smart” through hard work and appropriate support. To this end, each student at LVCS develops a Student Goal Plan (SGP), an individually defined program developed by the teacher, parent, and student. The SGP is tied to measurable outcomes and assessments and students and parents receive reports throughout the year indicating progress toward the goals in the SGP.

Student demographics at LVCS are similar to those at the other schools in the Fort Sage USD; however, because of the remote location and small population of the district, comparisons are difficult. LVCS employs outreach methods, such as development of informational materials in languages other than English, to ensure racial and ethnic balance.

Each member of the LVCS teaching staff provides and participates in the staff enrichment program. Each teacher chooses a project that will benefit staff. Upon approval by the Advisory Council, the teacher receives training and then in turn shares this training with the rest of the staff. In addition, LVCS operates a Community Outreach Program that utilizes a wide range of community organizations to provide resources, mentoring, student internships, and cultural enrichment. The Community Outreach Committee invites students and families from the entire Fort Sage USD to participate in events such as Outdoor Education Camp, Lit Jam, and Lit Fest.

#### *Plan for Low-Achieving Pupils*

Low-achieving students are assessed using a variety of standardized assessments and supported by Response to Intervention and Title 1 services. In addition, LVCS offers tutoring for low-achieving independent study students during traditional school hours. Site-based students are offered Title 1 teacher assistance and reading intervention for an additional 20 minutes per day in small groups four days per week.



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### *Plan for High-Achieving Pupils*

Advanced independent study high school students identified through STAR results, report cards, and teacher observation may enroll in Barstow Community College online course work or on campus at Lassen Community College. If parents choose to pay tuition, these students have the opportunity to earn a two-year degree by the time they graduate from high school. LVCS also offers visual and performing arts opportunities through private vendors.

### *Plan for English Learners*

Neither the Fort Sage USD nor LVCS report having English learner (EL) students. LVCS will utilize the home language survey and the California English Language Development Test (CELDT) to identify EL pupils. All current LVCS teachers have completed coursework or testing to be qualified to instruct EL students. Most of the curriculum adopted by LVCS includes materials for EL students.

### *Plan for Special Education Pupils*

LVCS commits to complying with all laws affecting individuals with exceptional needs, including all provisions of the Individuals with Disabilities in Education Improvement Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), the Americans with Disabilities Act (ADA), and all other applicable state and federal laws. Before the LVCS renewal petition was denied by Fort Sage USD and Lassen CBE, LVCS was categorized as a public school of the county in accordance to *EC* Section 47641(b). If approved by the SBE, the petitioners intend to apply to the Lassen County SELPA as an LEA for the provision of special education services to LVCS pupils. Should LVCS be denied membership in the Lassen County SELPA, it will apply for membership in the El Dorado SELPA.

Upon request from the CDE, LVCS promptly provided comprehensive descriptions of its educational programs that included the following components:

- Methods of instructional delivery for the on-site and independent study programs
- Teaching strategies used for students with different learning styles (auditory, kinesthetic, visual, tactile, global, analytic)
- Response to Intervention program information
- Course offerings for elementary and secondary independent study students
- High school graduation requirements

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The CDE recommends that technical amendments be made to the LVCS charter petition to clarify aspects of the LVCS educational program, including a description of the high school curriculum and independent study program.”<sup>17</sup>

Accordingly, the CDE has no legal basis to reverse its findings regarding the same charter petition it recommended approval of, and the SBE approved, in July 2010.

1(b) The independent study program described in the revised petition does not address how special education or English learner pupils will be served. While the original petition links the independent study program to the site-based program and resources, the revised petition does not include a plan for special education or English learner pupils who cannot reasonably access the LVCS site in Doyle.

Please see our response to 1(a), above.

1(c) The independent study program described in the revised petition does not address how academically low-achieving pupils will be served. Importantly, many of the interventions described in the petition for academically low-achieving pupils state that the interventions are available only for site-based pupils. The CDE has serious concerns about pupils who may be low-achieving or at risk of not graduating high school will be served in the independent study program.

Please see our response to 1(a), above.

1(d) The independent study program proposes to serve high school pupils; however, there is no description in the revised petition of how LVCS will prepare high school students for either college or a career. In addition, although the revised petition states that college preparatory courses are available, LVCS does not have approval for any “a-g” courses that would allow pupils an opportunity to prepare for admission to a four-year college.

Please see our response to 1(a), above.

2. Pursuant to *EC* Section 47605(b)(2), the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

The criteria for the SBE’s finding that “petitioners are demonstrably unlikely to successfully implement the program set forth in the petition,” under Education Code Section

<sup>17</sup> LVCS made the recommended technical amendments to the LVCS charter and submitted them to the CDE in November 2010, as detailed in this letter.



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47605(b)(2) are found in Title 5 of the California Code of Regulations Section 11967.5.1(c), which states:

“For purposes of *EC* Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are “demonstrably unlikely to successfully implement the program”:

- (1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners’ control.
- (2) The petitioners are unfamiliar in the SBE’s judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.
- (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).
- (4) The petitioners personally lack the necessary background in the following areas critical to the charter school’s success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.”

Once again, the CDE’s finding that “the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition” directly conflicts with its July 2010 finding that the LVCS charter petitioners are NOT “demonstrably unlikely to successfully implement the program set forth in the petition.” In the comments section of the July 2010 CDE staff report, the CDE staff made the following findings:<sup>18</sup>

“The LVCS history demonstrates academic success. The LVCS petition demonstrates that the petitioners are likely to continue to implement the program as set forth in the charter petition. LVCS appears to have a reasonable comprehension of the requirements of law and a solid background in the educational, financial, organizational, and legal aspects of operating a charter school.

The LVCS petitioners have also presented a realistic operational plan and a financial plan that appears sustainable. The LVCS budget appears to be balanced

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<sup>18</sup> See SBE July 14-15, 2010 meeting agenda, Item 19, Attachment 2:  
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and meets the recommended levels of reserves identified in 5 CCR Section 15450.  
The petitioners provide their own business management services for the school.”

The CDE staff has not provided new facts to support this finding. Since the 2010 approval, LVCS has replaced its Director to improve the administration at the Charter School. Currently, LVCS has three administrators: an Education Director, and two Assistant Program Directors. The three administrators are assigned to each of the three counties in which LVCS operates: Lassen County, Plumas County, and Shasta County. LVCS also contracts for business services from CSMC. Accordingly, the CDE has provided no facts to form a legal basis to reverse its findings regarding the same charter petition it recommended approval of, and the SBE approved, in July 2010.

2(a) The description of school director in the revised petition includes as a qualification a “proven record of successful elementary school administrative experience” but does not include experience or qualifications to administer a high school and/or independent study program. As these are the two areas LVCS seeks to expand, the CDE finds that the petition lacks evidence of administrative capacity to implement the expanded program.

As stated in our response above, the CDE already found the LVCS petitioners are NOT “demonstrably unlikely to successfully implement the program set forth in the petition,” in its July 2010 report to the SBE. This charter was approved by the SBE in July 2010 and the substance of the LVCS educational program is not at issue here.

We note, however, that the Education Director does have the experience and qualifications to administer the LVCS high school and independent study programs. The Education Director, Cindy Henry, has 12 years of teaching experience, with 5 of those being in Independent Study, including high school students. Ms. Henry is currently in her second year as an administrator, and as of February 14, 2012, will have completed all coursework that will allow her to apply for a clear administrative services credential. Ms. Henry currently has a preliminary administrative services credential.

The Assistant Program Directors also have appropriate experience and credentials. Sherri Morgan, the Assistant Program Director at the Plumas Resource Center, has a preliminary administrative services credential and will finish all coursework to qualify her for the clear administrative services credential on February 9, 2012. She has worked with California K-12 Independent Study charter schools since 1997 after working in a traditional middle school setting in Tucson, AZ. She has experience as Teacher, Lead Teacher, and Director of Educational Support; and holds a BA in Secondary Education (Business & Mathematics) from Prescott College, Arizona, and a MA in Educational Administration from Chapman University. Julia Knight, Assistant Program Director at the Cottonwood Resource Center, has a clear administrative services credential and is also LVCS’s Special Education administrator. She graduated from Dominican University in San Rafael, California with a multi-subject credential and a specialized credential. She has been an Independent Study teacher since 2001, and has

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taught in special day classes and a rural multi graded classroom (grades 3-8); and has been Lead Teacher and taught core subjects. Ms. Knight has trained teachers to use math and Language Arts curriculum, has acted as BTSA Support personnel, and has trained teachers for the Global Teacher Foundation in Kenya.

2(b) Current independent study teachers may not be highly qualified to teach core high school courses. The revised petition does not address a process for determining whether teachers will be deemed highly qualified and does not provide adequate plans for training or supporting independent study teachers.

In addition to our response to 2 (a), above, please see our response to this issue in Section [IV][A][4].

2(c) The petition does not address how statewide assessments will be administered through the independent study program. LVCS proposes to serve approximately 80 percent of its pupils in the independent study program in locations that are up to three hours away from the LVCS site. However, there is no plan provided as to how or where assessments would be administered, how or where testing materials would be transported or stored, and how the security of the assessments could be ensured.

Please see our response to 2, above. In addition, please note that LVCS administers statewide assessments in its Independent Study program in the exact manner that assessments are administered at the site-based program. Teachers administer to grade level groups, following all STAR/CAHSEE administration guidelines. Students at each resource center test at their resource center. Further, LVCS assures that all testing materials are securely stored in locking cabinets and signed in and out each day by teachers, and transported back to Doyle to be packed and sent to ETS.

LVCS was approved to operate its educational program, including independent study, as part of the SBE's original approval of the charter in July 2010. LVCS has always operated resource centers in Lassen County and in adjacent counties. We question the timing of CDE's concerns regarding testing administration, given this issue was not raised by the CDE a year and a half ago. Accordingly, the CDE has no legal basis to reverse its findings regarding the same charter petition it recommended approval of, and the SBE approved, in July 2010.

2(d) While the petition states that all LVCS teachers are qualified to instruct English learners and that all students who indicate that their home language is other than English will be administered the California English Language Development Test (CELDT), LVCS has been unable to provide evidence that all teachers are qualified to teach English learners. The CDE finds that the revised petition does not provide an adequate plan or staffing to administer the CELDT to independent study pupils, nor does it provide a plan to ensure that teachers in the independent study program will be qualified to serve English learners.

*ACCS Chair Bauer, ACCS Members, SBE Executive Director Burr*  
*Re: Long Valley Charter School Response to California Department of Education*  
*Proposed Recommendations to Issue a Notice of Violation Pursuant to Education*  
*Code Section 47607(d) and Deny Request for Charter Material Revision*  
*February 3, 2012*  
*Page 28 of 31*

In addition to our response to 2, above, please see our response to this issue in Section [IV][A][4].

2(e) Current staffing at LVCS includes one administrator, the Education Director, who has also been assigned many of the duties of the unfilled Fiscal Director position. The CDE finds that LVCS lacks administrative staff to support a school serving 500 to 600 pupils, especially when those pupils and their instructors are spread over such a wide geographic area. Distances from the authorized school site in Doyle to the resource centers proposed in the revised petition are as follows:

- i. Susanville site: 40 miles
- ii. Portola site: 45 miles
- iii. Cottonwood site: 150 miles
- iv. Redding site: 152 miles

The CDE finds it unreasonable to expect that a single administrator could adequately fulfill all of the duties stated in the petition in addition to providing sufficient oversight of resource centers that are not easily accessible from the school site.

This stated finding contains no facts to support a denial of the LVCS charter material revision, and is factually inaccurate. As stated above, LVCS currently employs three administrators: an Education Director, and two Assistant Program Directors. The three administrators are assigned to each of the three counties in which LVCS operates: Lassen County, Plumas County, and Shasta County. As already addressed, LVCS's three administrators are more than capable of providing oversight, supporting students, and fulfilling all of the duties associated with the LVCS programs that operate in these three counties. They act as a team and possess skills that complement one another, and also meet weekly via video conference to determine the needs of students at each resource center and work through any issues that arise.

Accordingly, the CDE has no legal basis to deny the LVCS charter material revision nor reverse its findings regarding the same charter petition it recommended approval of, and the SBE approved, in July 2010.

Because LVCS has been operating an independent study program through its resource centers since at least the 2010–11 school year, the CDE would expect that the petition clearly articulate the measurable outcomes for pupils and the instructional methods LVCS would use at the resource centers. As presented to the CDE, the revised petition is deficient as it does not provide a level of detail that would allow the CDE to recommend its approval.

Although the above statement does not appear to be a finding, we wish to respond. As stated in LVCS's October 31, 2011 letter to the CDE, "the site-based and independent study programs at LVCS are not distinct from one another – they are one unified educational

*ACCS Chair Bauer, ACCS Members, SBE Executive Director Burr  
Re: Long Valley Charter School Response to California Department of Education  
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February 3, 2012  
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program.” (See Attachment B). We fail to understand the purpose of establishing separate measurable pupil outcomes and instructional methods that would be used in the site-based and independent study programs when the LVCS educational program is one unified educational program. The CDE’s statement is not based in any requirement in the Education Code nor is it included in the mission, vision, and education program in the LVCS charter as approved by the SBE in July 2010. We question how or why a charter school would articulate separate outcomes for its students attending the resource centers and isolate those students from its site-based program.

Further, we reiterate that the CDE has reviewed provision of the already approved charter as opposed to the material revision request and its statement that the “revised petition is deficient as it does not provide a level of detail that would allow the CDE to recommend its approval” is therefore not based in fact or law. The limited material revisions that LVCS has actually proposed in its October 31, 2011 request regarding student enrollment and the LVCS resource centers, however, do meet the requirements of law and should be approved by the SBE as detailed below.

**D. The Applicable Legal Standard Encourages Approval of the Material Revision Request Submitted to the California Department of Education on October 31, 2011**

Turning to LVCS’s actual material revision request, it is important to note that the CDE has made no findings for denial and thus has no legal basis to recommend denial of the LVCS material revision. As provided under Education Code Section 47607(a)(2), “material revisions of charters are governed by the standards and criteria in [Education Code] Section 47605.” Education Code Section 47605(b) states:

“The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a).

ACCS Chair Bauer, ACCS Members, SBE Executive Director Burr  
Re: Long Valley Charter School Response to California Department of Education  
Proposed Recommendations to Issue a Notice of Violation Pursuant to Education  
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- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).
- (5) The petition does not contain reasonably comprehensive descriptions of [the 16 required elements].” (Emphasis added.)

Accordingly, the law is written such that the default position for an authorizer’s governing board is to approve a charter petition, or, as here, a material revision, unless it makes written factual findings specific to the particular petition, setting forth specific facts to support a denial. The CDE has presented no facts to support findings for denial of the material revision and thus has no legal basis to recommend denial of the LVCS material revision.

**E. By Law, the State Board of Education Cannot Discourage the Growth of Long Valley Charter School**

We reiterate that failure to approve the LVCS material revision violates Education Code Section 47605(d)(2)(C), which states: “[i]n the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.” (Emphasis added.)

There is a clear demand for the educational program offered by LVCS, as evidenced by the number of students who have enrolled. LVCS has been able to scale its program to meet this demand. *The SBE is legally prohibited from taking action to impede the growth of LVCS.*

**F. Denial of the Long Valley Charter School Material Revision Request Will Have a Devastating Impact on the Charter School**

If the SBE takes action to deny the LVCS material revision request, LVCS will have to dis-enroll 146 students and lay off 13 teachers. LVCS predicts it would more than likely lose 214 students, as without a resource center, the school would not have the resources to successfully service students to the high standard LVCS has established. LVCS is unlike other independent study programs that meet once a month with students in a public library to collect students’ work. Instead, LVCS’s resource center teachers meet on a weekly basis with students and provide teaching and tutoring services. LVCS is located in an isolated, rural part of the state, which does not offer unlimited educational or employment opportunities. LVCS continues to be a strong school and a strong employer in the local economy. Denying the material revision request would be an unnecessarily drastic decision, especially given the suggestion by LVCS to offer conditions to approval to ensure the SBE of future compliance.

**VI. CONCLUSION**

LVCS is committed to rebuilding its relationship with the CDE and proving to the SBE it is a successful, viable, and compliant charter school, successfully serving a unique student



*ACCS Chair Bauer, ACCS Members, SBE Executive Director Burr  
Re: Long Valley Charter School Response to California Department of Education  
Proposed Recommendations to Issue a Notice of Violation Pursuant to Education  
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population in rural California. To that effect, LVCS reiterates its commitment to the proposed conditions included in its "Resolution of Concerns" letter sent to the CDE on October 27, 2011, and proposes that those conditions be included as part of the ACCS's action to recommend the SBE approve the LVCS material revision. LVCS is eager to consider any additional conditions that the ACCS members may propose which do not lead to the disenrollment of pupils or unemployment of LVCS personnel.

\* \* \*

We very much appreciate your time and consideration of this response. We look forward to presenting and answering your questions at the February 8, 2012 ACCS meeting. If you should have any further questions in the meantime, please feel free to contact me or the LVCS Education Director, Cindy Henry, who would be eager to discuss further.

Sincerely,  
**LAW OFFICES OF  
MIDDLETON, YOUNG & MINNEY, LLP**

  
LISA A. CORR  
ATTORNEY AT LAW

cc: Trish Williams, SBE Vice President and SBE-ACCS Liaison  
Judy Cias, Chief Counsel, SBE ([jcias@cde.ca.gov](mailto:jcias@cde.ca.gov))  
Jill Rice, Assistant Legal Counsel, SBE ([jrice@cde.ca.gov](mailto:jrice@cde.ca.gov))

# **ATTACHMENT A**



LAW OFFICES OF MIDDLETON, YOUNG & MINNEY, LLP

OCTOBER 27, 2011

VIA: HAND DELIVERY

PAUL C. MINNEY  
JAMES E. YOUNG  
MICHAEL S. MIDDLETON  
LISA A. CORR  
SUZANNE A. TOLLEFSON\*  
JERRY W. SIMMONS

Beth Hunkapiller, Director  
Bonnie Galloway, Administrator  
Steven Work, Consultant  
Charter Schools Division  
California Department of Education  
1430 N. Street  
Sacramento, CA 95814

CHASTIN H. PIERMAN

JULIE D. ROBBINS

KIMBERLY RODRIGUEZ

ANDREA C. SEXTON

SARAH J. KOLLMAN

JANELLE A. RULEY

ANDREW G. MINNEY

MICHAEL E. HERSHER

MICHELLE A. RUSKOFSKY

\*ALSO ADMITTED IN NEVADA

**Re: Long Valley Charter School  
Resolution of Concerns**

Dear Ms. Hunkapiller, Ms. Galloway and Mr. Work:

As you know, our Office serves as legal counsel for Long Valley Charter School ("Charter School"). The purpose of this letter is to propose a resolution to the concerns raised by the California Department of Education ("CDE") related to the opening of three new resource centers by the Charter School and the enrollment of students above what is allowed by the Memorandum of Understanding ("MOU") with the CDE and State Board of Education ("SBE") without prior approval. The Charter School recognizes that it failed to seek approval of a material revision of its charter prior to the opening of the Cottonwood, Redding,<sup>1</sup> and Portola resource centers and prior to enrolling 140 additional students for 2011-12 as required by the MOU.

The Charter School realizes the huge impact its mistake could have on 140 currently enrolled students and 13 employees, all of whom are doing well within the new and improved Long Valley Charter School family. The Charter School has spent some time considering a plan that could resolve the concerns of the CDE and SBE without the impact on the students and employees. The following proposal provides for an opportunity for the Charter School to demonstrate its ability to successfully operate these additional resource centers and serve its additional population:

**A. Board Capacity**

- 1) Please see attached as Exhibit A, a Board Resolution from the Long Valley Charter School Board of Directors recognizing and formally apologizing for its errors, recognizing the impact its errors had on its own students and employees, and authorizing Cindy Henry to resubmit its request for a material revision.

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<sup>1</sup> LVCS has closed the Redding resource center, and will not re-open it unless and until prior approval is obtained from the CDE and SBE.

*Beth Hunkapiller, Director*  
*Bonnie Galloway, Administrator*  
*Steven Work, Consultant*  
*Re: Long Valley Charter School*  
*Resolution of Concerns*  
*October 27, 2011*  
*Page 2 of 4*

- 2) Please see attached as Exhibit B, Board training materials that have been utilized to train the Long Valley Charter School Board of Directors. Training has included the Brown Act, Conflicts Laws, and Best Practices for Effective Governance.
- 3) Attached as Exhibit C, please find a letter that will be sent to all State Board of Education authorized charter schools from the Long Valley Charter School Board of Directors explaining how critical it is to comply with the terms of the Memorandum of Understanding and the major impact the actions of the Long Valley Charter School Board of Directors had on the survival of the Charter School.

**B. Educational Program**

- 1) Attached as Exhibit D, please find a redline version of the educational program from the charter petition. The black text represents the charter originally approved by the SBE; the **red** text represents an additional description of the educational program, prepared and submitted in November of 2010 to meet the CDE's technical amendments; and the **blue** text represents a contemporary update to show the blending of the site-based and independent study programs.

The Charter School shall provide video linkages to all courses taught at the Charter School, available in all resource centers. Should the Department of Education wish to view a course, please let us know and we will arrange for you to be included in the linkage.

Also attached as Exhibit D, please find descriptions of the Cottonwood and Portola Resource Centers, along with schedules, which illustrate the learning and activities which take place at those locations.

Finally, the Charter School has put together a short video demonstrating the learning and activities that take place in a resource center. We respectfully request that you view the video by going to the following link: [http://www.youtube.com/watch?v=m\\_QBmczFwsU&feature=email](http://www.youtube.com/watch?v=m_QBmczFwsU&feature=email). Should this website be blocked for viewing, we will submit the video on a disc under separate cover.

- 2) Attached as Exhibit E, please find first benchmark report, showing the results of the first testing from Scantron Performance Series.

*Beth Hunkapiller, Director*  
*Bonnie Galloway, Administrator*  
*Steven Work, Consultant*  
*Re: Long Valley Charter School*  
*Resolution of Concerns*  
*October 27, 2011*  
*Page 3 of 4*

C. Reporting

- 1) The Charter School would suggest that the following reports be sent to the California Department of Education in addition to those that are already required by the Memorandum of Understanding between the State Board of Education, the California Department of Education and the Charter School:
  - a) A minimum of four reports per year on benchmark assessments, pulled from DataDirector;
  - b) Monthly student enrollment report;
  - c) All agendas, minutes, and board packets for monthly Board of Directors meetings;
  - d) Monthly financial reports;
  - e) A reporting on the educational program for each trimester, which would include but not be limited to, student achievement data, updates with regard to improvements within the resource centers, and any other info requested by the California Department of Education.
- 2) The Long Valley Charter School would ask that the California Department of Education visit the resource centers and observe the learning that is occurring at each learning center, and would pay for the California Department of Education representatives to do so.

D. Consequences

The Charter School shall recognize the commitments made herein as fully incorporated material provisions of the charter. As such, any violation of a commitment shall subject the Charter School to possible revocation action pursuant to Education Code Section 47607.

\* \* \*

*Beth Hunkapiller, Director*  
*Bonnie Galloway, Administrator*  
*Steven Work, Consultant*  
*Re: Long Valley Charter School*  
*Resolution of Concerns*  
*October 27, 2011*  
*Page 4 of 4*

Thank you for this opportunity to propose a resolution to your concerns regarding Long Valley Charter School. If you have any questions regarding this matter please feel free to give me a call. If it is possible to set up a meeting to discuss this proposed resolution, we would appreciate the opportunity to do so at your earliest convenience.

Sincerely,  
**LAW OFFICES OF**  
**MIDDLETON, YOUNG & MINNEY, LLP**



LISA A. CORR  
ATTORNEY AT LAW



# **ATTACHMENT B**



**Long Valley Charter School**  
*Proudly Established in the Year 2000*

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P.O. Box 7 ~ Doyle, CA. 96109 ~ Telephone 530 827-2395 ~ Fax 530 827-3562

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October 31, 2011

Via Email  
[bgalloway@cde.ca.gov](mailto:bgalloway@cde.ca.gov)  
[jrice@cde.ca.gov](mailto:jrice@cde.ca.gov)

Bonnie Galloway, Administrator  
Jill Rice, Legal Counsel  
Charter Schools Division  
California Department of Education  
1430 N. Street  
Sacramento, CA 95814

**RE: Response to Notice of Concern Dated October 25, 2011**

Dear Ms. Galloway and Ms. Rice:

This letter responds to the letter received by Long Valley Charter School ("LVCS") from the California Department of Education ("CDE") dated October 25, 2011 regarding concern by the CDE over LVCS' operations.

Respectfully, LVCS does not wish to close any of its Resource Centers or lower its enrollment, as taking these actions is not in the best interest of students. Therefore, LVCS is seeking a material revision of its charter to identify the Resource Centers and planned student population growth. The materially revised charter is attached to this letter for your review.

The charter material revision: specifies an anticipated attendance growth plan; lists all currently operating Resource Centers; and clarifies that the site-based and independent study programs are not distinct from one another – they are one unified educational program.

LVCS hopes that the CDE considers this material revision in light of the information provided to the CDE on October 27, 2011 in response to the notice of concern dated June 20, 2011, as well as subsequent communications with CDE staff. Further, LVCS hopes to discuss the proposed material revision, as well as the steps already undertaken by LVCS to address the CDE's concerns, in a meeting to ensure that any and all concerns of the CDE are resolved to the CDE's satisfaction. It is LVCS's desire that this meeting take place at the CDE's earliest convenience.

I look forward to setting up a meeting with you to discuss the LVCS material revision and the steps already undertaken to address the CDE's concerns.

Sincerely,

A handwritten signature in black ink that reads "Cindy Henry".

Cindy Henry  
Education Director

# **ATTACHMENT C**



**Long Valley Charter School**  
*Proudly Established in the Year 2000*

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P.O. Box 7 ~ Doyle, CA. 96109 ~ Telephone 530 827-2395 ~ Fax 530 827-3562

November 2, 2011

Via Email  
[swork@cde.ca.gov](mailto:swork@cde.ca.gov)

Stephen Work, Consultant  
Charter Schools Division  
California Department of Education  
1430 N. Street  
Sacramento, CA 95814

**RE: Material Revision of Long Valley Charter School Charter Petition**

Dear Mr. Work:

The intent of this letter is to notify the California Department of Education ("CDE") that pages 7, 11, 12, 13, and 67 of a proposed draft of the Long Valley Charter School ("LVCS") charter have been revised to reflect LVCS's material revision request. The changes are shown in redline form for the ease of your review. The remaining charter content has not been altered.

I look forward to setting up a meeting with you to discuss the LVCS material revision and the steps already undertaken to address the CDE's concerns.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Henry".

Cindy Henry  
Education Director

# **ATTACHMENT D**



**Long Valley Charter School**

*Proudly Established in the Year 2000*

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P.O. Box 7 ~ Doyle, CA 96109 ~ Phone (530) 827-2395 ~ Fax (530) 827-3562

November 30, 2010

Stephen Work  
Education Programs Consultant,  
Charter Schools Division  
California Department of Education  
1430 N Street, Suite 5401  
Sacramento, CA 95814

Re: Verification of Brown Act Training for Board Members

Dear Stephen,

Our Board President El VonTour attended training sponsored by the Charter Schools Association on 11-13-10. Board members Julie Wells, Bill Harkness, Justin Anderson, and Ricky Gotcher are scheduled to attend training on 1-6-11 at the Lassen County Office of Education.

Sincerely,

Michael Yancey  
Education Director  
Long Valley Charter School



# ATTACHMENT E



## Governance Leadership Development

*Presenter: Dr. David E. Guthrie  
Education Synergy Consulting (ESC)*



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## Training Agenda

Session I >

- *Orientation*
- *Training Agenda*
- *Building a Foundation for an Effective  
Charter School Board*
- *Board Self-Evaluation*



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## Training Agenda

Session II >

- *Board Decision-Making and Meetings*
- *Board Director Motivation and  
Accountability*
- *Identification and Recruitment of  
Board Members*



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## Training Agenda

### Session III >

- *Legal and Financial Responsibilities of Charter School Boards*
- *Board Role in Fund Raising*
- *Board-Staff Relations*



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## Training Agenda

### Session IV >

- *The Board and Effective Committees*
- *Building Strong Parent and Community Relations*
- *Board Role in Strategic Thinking and Planning*



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## Training Agenda

- *The Essentials*
- *Reading Assignments*
- *Research*
- *Practices*
- *Q & A*



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**Source**

*U.S. Charter School Association  
 Handbook*




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**Source**

- *Content*
- *Theme*
- *Toolbox*
- *Resources*
- *References*




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**Orientation**

**Govern:** Greek “to steer a ship”

**Purpose:** *‘How to prepare and sustain board directors to lead an autonomous public school . . . Build(ing) upon the best of nonprofit, district, and private school governance training and resources.’*

**Expectation:** *Developing Boardmanship*

**Outcome:** *Building a Foundation for Sustainability*




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## Orientation

Reasons for Board of Directors

- *Legal Responsibility*
- *Oversight Function*
- *Promoting the Charter School's Mission*
- *Raising Funds*



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## Orientation

The Volunteer Board Member

*"Quality Takes Time!"*



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## Building a Foundation for an Effective Charter School Board

*How does a charter school board  
clearly define its roles, responsibilities, and  
philosophy of governance?*



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## The Governing Board Type Analogies

Board as Controller	Board as Director	Board as Meaning-Maker
Dam:river Curbstone:roadway Border collie:cattle herd Air traffic controller:pilot Governor:engine Inspector:passport Operating system:computer Landlord:tenant	Compass:navigation Headlights:automobile Rudder:boat Guidance system:satellite Periscope:submarine Flight planner:pilot	Inspiration:poet Values:choices Designer:work of art Conscience:ethical person Spirit:higher purpose Vision:implementation Norms:group dynamics




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## Board Development Stages

Stage of Organization Development	Charter School Operation	Board Type	Board Functions
Emergent	Pre-charter application; design of the charter school	Informal group of founders and other community volunteers	Work directly with staff that carries out the daily work of operating the school
Growth/Consolidation	Charter granted; school opens	More formal advisory board or small board of directors	Oversees development of the charter school's mission, policies, and operations
Sustainable/Mature	Ongoing operation; charter contract compliance; renewal of contract	More formal board of directors with established sub-committees	Shapes mission and policies, raises money, and oversees charter school's performance




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## Dysfunctional Board Characteristics (Brian Carpenter)

- Managing versus Governing
- Using Individual versus Group Authority
- Creating Revolving Door Accountability
- Spending Time on Administrivia
- Not Developing Itself




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### Dysfunctional Board Characteristics (USCS Handbook)

- Meddlesom
- Unstable Leadership
- Internal Dissension
- Professional Incompetence
- Balancing Constituent Needs and Organization's
- Exhausting Volunteers
- No Committee Structure
- Micromanaging
- Ineffective Nominating Committee
- No Rotation Plan
- Unproductive Members
- Too Small
- No Strategic Plan
- No Orientation Program
- No Proactive Plan to Manage Founder's Syndrome




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### Board Roles and Responsibilities

- Determine the charter school's mission and purpose
- Appoint the charter school administrator
- Support the charter school administrator and review his/her performance
- Ensure effective organizational planning
- Ensure adequate resources
- Manage resources effectively
- Determine and monitor the charter school's programs and services
- Enhance the charter school's image
- Assess its own performance




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### Steps for Board Development

- *Nominations & Recruitment*
- *Orientation & Training*
- *Roles & Rotations*
- *Evaluation*
- *Recognition*




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### Board Development Committee

- *Recruitment Criteria (Bylaws)*
- *Recruitment Process*
- *Screening*
- *Orientation and Training*
- *Inaugurals and Recognition*




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### Governance Model: Fundamentals

- *Distinction between governance work of the board and management work of the staff*
- *Ends/means distinction with a bias in favor of high impact decision-making*
- *Clarity about who does what (specifically what does the board do and what does the staff do?)*




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### Policy Formulation

**Imperative:**

*Create no policy that interferes with the Administration's ability to organize efficient service delivery systems, maximize productivity, and operate effectively within the constraints of law and regulation!*




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## Board Self-Evaluation

*How does the charter school board continuously enhance { and measure } its effectiveness?*




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## Board Self-Evaluation

- *Board Leadership enthusiastic support*
- *Based on best practices and quality performance*
- *Instrumental*
- *Results in an Action Plan for improvement*




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## Board Evaluation Process

- *Participants*
- *Instruments*
- *Facilitator*
- *Assessment & Evaluation*
- *Policy Supporting a Perpetual Process*
- *New and Prospective Board Members*




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### ***Decision-Making***

*How does the Charter School Board make effective decisions?*




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### ***Decision-Making***

*Basic Assumptions:*

- ✓ The buck stops with the board
- ✓ Governance versus Management
- ✓ Ends versus Means
- ✓ Board as One Voice
- ✓ Limited Time for Decision-Making
- ✓ The Board is No Substitute for Everything Else
- ✓ Roles and Responsibilities are Clear




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### ***Decision-Making***

*Elements:*

- ✓ Uses Relevant Information
- ✓ Discusses Issues Deliberately
- ✓ Considers Alternative Actions (Options)
- ✓ Works toward Consensus




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***Decision-Making***

***Policy-Making:***

- ✓ Reflective of Educational Goals
- ✓ Within the Board's Authority
- ✓ Adopted by Procedure
- ✓ Respectful of Legal and Constitutional Rights and Requirements
- ✓ Communicated to the School Community




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***Decision-Making***

***Policy-Making Process:***

- ✓ Board (Governance Leadership) Identifies the Need for a New Policy
- ✓ Team Develops Draft Policy
- ✓ First Draft Created
- ✓ Legal Counsel Review and Opinion
- ✓ Present Draft Policy to the Board
- ✓ Review and Revise Policies
- ✓ Adopt Policy




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***Decision-Making***

***Policy-Making Steps:***

- ✓ Issues
- ✓ Information
- ✓ Recommendations
- ✓ Discuss & Debate
- ✓ Policy Draft
- ✓ First Reading




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***Decision-Making***

*Policy-Making Steps:*

- ✓ Revisions
- ✓ Second Reading
- ✓ Adopt Policy
- ✓ Link to Charter Community
- ✓ Implementation
- ✓ Evaluation and Revision (Tickler)




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***Decision-Making***

*Tools:*

- ✓ Flowchart
- ✓ Matrix
- ✓ Committees




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***Decision-Making***

*Time Management:*

- ✓ Agenda with Time Estimates
- ✓ Start on Time
- ✓ End on Time
- ✓ Reminders
- ✓ Tracking and Feedback
- ✓ Consent Agenda
- ✓ Board Calendar




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***Decision-Making***

***Good Board Information***

***Characteristics:***

- ✓ Concise
- ✓ Meaningful
- ✓ Timely
- ✓ Relevant to Responsibilities
- ✓ Best Available
- ✓ Context
- ✓ Graphic Presentation




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***Decision-Making***

- ✓ *Agendas*
- ✓ *Minutes*
- ✓ *Board Binder*
- ✓ *Recordkeeping*




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***Motivation & Accountability***

*How does the Charter School Board foster and maintain a high level of board director motivation and accountability?*




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*Transaction View Table*

Board Director	Charter School
Motivators	Benefits
<ul style="list-style-type: none"> <li>• Interests/Needs</li> <li>• Personal Values/Beliefs</li> <li>• Personal and Career Goals</li> <li>• Family</li> <li>• Dreams</li> <li>• Skills</li> <li>• Experience</li> <li>• Personal Growth</li> </ul>	<ul style="list-style-type: none"> <li>• Charter School Mission</li> <li>• Educational Philosophy</li> <li>• Organizational Values/Beliefs</li> <li>• Board Responsibilities</li> <li>• Training Opportunities</li> <li>• Organizational Climate</li> <li>• Challenges</li> <li>• Limitations</li> </ul>




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**Board Member Recognition as a Motivational Strategy**

- ✓ Everyone
- ✓ Appropriate to Performance
- ✓ Formal & Informal
- ✓ Perceived as Fair
- ✓ Meaningful & Comfortably Received
- ✓ Before Peers
- ✓ Make It Fun!




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**Board Member Accountability**

- ✓ Job Description
- ✓ Self-Evaluation Process
- ✓ Ongoing Accountability Contacts
- ✓ Goal Setting
- ✓ Board Development
- ✓ Leadership Training (Officers)




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### **Recruitment of Board Members**

*How does the Charter School Board recruit board directors that are committed to the charter school and posses skills, knowledge and other attributes needed in order for the board to effectively carry out its responsibilities?*




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### **Board Member Recruitment Elements**

- ✓ Year-Round Committee
- ✓ Strategic Planning Link
- ✓ Current Board Profile
- ✓ Priorities
- ✓ Job Description that is Real




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### **Board Member Recruitment Time Table**

1. Board Development Committee
2. Active Recruitment
3. Board of Directors Profile
4. Building Board Diversity
5. Prospects
6. Contacts
7. Orientation Sessions
8. Selection




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### Board Member

*A word about Nepotism*

- Bylaws
- Policy
- How can it work?
- All in the Family




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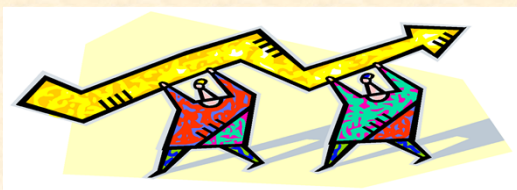
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### ***Legal & Financial Responsibilities***

*How does the Charter School Board  
 carry out its legal and financial  
 oversight responsibilities?*




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### ***Legal & Financial Responsibilities***

*Accountability Domains:*

- ✓ Corporate Law, Policies, Procedures, and  
Contracts with Third Parties
- ✓ Local, State, and Federal Laws and Regs
- ✓ Financial Resources, Facilities, and  
Equipment
- ✓ Risk Management




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***Legal & Financial Responsibilities***

***Legal Responsibilities:***

- ✓ Duty of Care
- ✓ Duty of Loyalty
- ✓ Duty of Obedience




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***Legal & Financial Responsibilities***

***Duty of Care:***

- ✓ Active Participation
- ✓ Committees
- ✓ Board Actions
- ✓ Minutes of Meetings
- ✓ Books and Records
- ✓ Accurate Record Keeping
- ✓ Trust Property
- ✓ Resources
- ✓ Investigations




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***Legal & Financial Responsibilities***

***Duty of Loyalty:***

- ✓ Conflict of Interest
- ✓ Written Policies
- ✓ Loans
- ✓ Corporate Opportunity
- ✓ IRS Code
- ✓ Governing Documents Compliance




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***Legal & Financial Responsibilities***

***Duty of Obedience:***

- ✓ State and Federal Statutes
- ✓ Filing Requirements
- ✓ Governing Documents
- ✓ Outside Help




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***Legal & Financial Responsibilities***

***Financial Oversight:***

- ✓ Monitoring
  - ✓ Cash Flow Projections
  - ✓ Balance Sheet with Fund Balance
  - ✓ Income Statement
- ✓ Keeping the Board Informed
- ✓ Maintaining Role Clarity
  - ✓ Committees




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***Legal & Financial Responsibilities***

***Avoiding Conflicts of Interest:***

- ✓ Full Disclosure
- ✓ Abstention from Discussion and Voting
- ✓ Staff Member Abstentions




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***Legal & Financial Responsibilities***

***Risk Management:***

- ✓ Questionnaire & Risk Assessments
- ✓ Volunteers
- ✓ Special Education




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***Board & Staff Relations***

*How does the Charter School Board build and maintain an effective and mutually supportive working relationship with the charter school administrator?*




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***Board & Staff Relations***

*Board's Role in Selecting and Supporting the Administrator:*

- ✓ The Relationship
- ✓ Role Clarification
- ✓ Board Policy




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***Board & Staff Relations***

*Hiring and Selection Process:*

- ✓ Job Descriptions for Board and Administrator
- ✓ Communication Planning
- ✓ Strategic Planning
- ✓ Recruitment Process
- ✓ Hiring Process




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***Board & Staff Relations***

*Evaluation Process:*

- ✓ Who Will Perform the Evaluation?
- ✓ Timetables
- ✓ Performance Expectations
- ✓ Performance Review
- ✓ Performance Development Action Plan
- ✓ Review the Review Process




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***Board & Staff Relations***

*Conflict:*

- ✓ Differences Among Board Members
- ✓ Areas of Authority
- ✓ Board Chair and Administrator
- ✓ Staff Access to the Board
- ✓ Differences Among Staff




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***Board & Staff Relations***

*Should Staff Serve on the Charter School Board?*



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***Board Role In Fund-Raising***

*How can the charter school board play an effective role in fund-raising?*



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***Board Role In Fund-Raising***

*Why Fund-Raising?*



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***Board Role In Fund-Raising***

- ✓ *Roles of the Board*
- ✓ *Roles of the Staff*




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***Board Role In Fund-Raising***

***Principles:***

- ✓ *The Board is ultimately responsible for attracting funding resources to ensure the financial viability of the charter school and its educational and support programs.*




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***Board Role In Fund-Raising***

***Principles:***

- ✓ *Asking for and giving money are natural processes and need not be viewed as something to be avoided.*




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***Board Role In Fund-Raising***

***Principles:***

✓ *Board of Directors should help in preparing the “case” which is the rationale for supporting the charter school and to be able to explain the case persuasively to prospective donors.*




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***Board Role In Fund-Raising***

***Principles:***

✓ *Every Board director can do something useful to support the fund-raising effort employing his or her own skills and interest.*




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***Board Role In Fund-Raising***

***Tools:***

- ✓ *Cultivation*
- ✓ *Major Gifts*
- ✓ *Corporate & Foundation Giving*
- ✓ *Personal Notes*
- ✓ *Mailing Lists*
- ✓ *Annual Appeals*




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***Board Role In Fund-Raising***

***Principles:***

✓ *Motivation of Board of Directors is the most critical and the most difficult task of all. Indifference will not raise money. Board of Directors and staff need to be enthusiastic about the charter school's purpose and show eagerness to be involved.*




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***Board Role In Fund-Raising***

***Board Involvement Levels:***

- ✓ Getting Started
- ✓ Covering the Basics
- ✓ Diversifying the Income Base
- ✓ Maintaining a Wide Range of Donors




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***Board Role In Fund-Raising***

Funding Source	Board Involvement Time	Staff Involvement Time
Government	5%	95%
Foundations	25%	75%
Corporations	50%	50%
Bequests	75%	25%
Local Community	50%	50%
Special Events	80%	20%




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***Board Role In Fund-Raising***

Funding Source	Board Involvement Time	Staff Involvement Time
Individuals	100%	0%
Board of Directors	100%	0%
Direct Mail	2%	98%
Annual Givers	50%	50%
Major Donors	80%	20%
Members/Subscribers	2%	98%




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***Board Role In Fund-Raising***

- ✓ *Fund-Raising Committees*
- ✓ *Training and Support*
- ✓ *Fund Development Plan*
- ✓ *Stewardship Plan*
- ✓ *Business Plan and RoI*
- ✓ *Fund Raising Activities*




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**Effective Committees**

*How does the Board develop and maintain a committee structure that enhances its overall effectiveness?*




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***Committee Functions***

*Indispensible!*

They can do the bulk of the work provided the Board and Administration employ them effectively.




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***Committee Functions***

**Roles:**

- *Increases Involvement*
- *Training Ground for Future Leadership*
- *Increases Visibility and Outreach*
- *Improves Communication*
- *Forums for In-Depth Deliberation for Emerging Issues*




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***Committee Types***

*Standing*  
 or  
*Ad Hoc*  
 (All Board Committees are subject to the Open Meetings (Brown) Act)




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***Board Committee Structure***

*Delicate Balance between:*

- *Sufficient to enable and empower governance leadership without*
- *Becoming cumbersome and inviting micromanagement*




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***Board Committee Structure***

- ❖ *Executive*
- ❖ *Finance & Budget*
- ❖ *Accountability (Audit)*
- ❖ *Board Development*
- ❖ *Fund-Raising/Resource Development*
- ❖ *Personnel*
- ❖ *Parent*
- ❖ *Strategic Planning*




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***Effective Committees***

*Characteristics:*

- ❖ *Written Committee Description*
- ❖ *Effective Committee Chair*
- ❖ *Members Thoughtfully Appointed*
- ❖ *Accountability to the Board*
- ❖ *Well-Run Meetings (Agendas)*




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***Effective Committees***

Characteristics:

- ❖ *Evaluations*
- ❖ *Calendar of Activities and Decisions*
- ❖ *Task Forces and Workgroups*




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***Administration Committees***

- ❖ *Ad Hoc versus Standing*
- ❖ *Operations and Functions*
- ❖ *Task Forces and Workgroups*
- ❖ *Domains (What and How?)*




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***Committee Principles***

- ✓ *Create no office or committee position for the purpose of helping, advising, instructing, or exercising responsibility for or authority over any aspect of organization that has been delegated to the CEO.*
- ✓ *Use committees, if it wishes, to help the Board with parts of its job.*
- ✓ *Allow no committee to be a board-within-the-board.*




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### Committee Principles

- ✓ *Create committees that last as long as the job the committee has to do, but no longer.*
- ✓ *Be clear about the product the Board is requiring from the committee.*
- ✓ *Be clear about the resources the committee is authorized to use.*
- ✓ *Use the expertise of Board members to inform but not substitute for Board wisdom.*




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### Building Strong Parent & Community Relations

*How does the Board maintain strong parent and community relations?*




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### Parent Involvement

Takes on many roles:

- *Active support of their own child's learning.*
- *Involvement in school governance and decision-making.*
- *Volunteering at the school.*
- *Advocacy*




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### Parent Involvement

Takes on many roles:

- Fundraising.
- *Feedback and evaluation of school performance.*
- *Technical assistance and expertise.*
- *Liaison*
- *Providing independent, sounding board*




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### Enervation

- Lack of clarity in purpose, role, or scope.
- *Ignorance about or lack of commitment to the charter school's mission.*
- *Unclear expectations of individual advisory group members.*
- *Lack of leadership and support from the Board and/or Administration.*
- *Weak organization structure.*




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### Enervation

- *Lack of interaction and feedback.*
- *Underutilization.*
- *Overstepping the boundaries*
- *Lack of orientation and/or continuing education.*
- *Haphazard selection process.*




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### Energizing

- ✓ *Linking Parent and Community Involvement to Plans for Student Achievement.*
- ✓ *Forging Alliances, Partnerships, and Collaboratives.*
- ✓ *Purpose Statements*
- ✓ *Evaluation and Assessment (Kaizen!)*




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### Strategic Thinking & Planning

*How can the Board organize itself in order to function as an effective, future-focused leadership (governance) team?*




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### Strategic Thinking & Planning

Steps:

- ✓ *Formulating the Mission Statement (where's the vision?)*
- ✓ *Developing the Strategic Plan*




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## Governance Leadership

Board  
& Administration  
Domains



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## Strategic Planning Levels

- *Mission (purpose)*
- *Vision (values)*
- *Goals*
- *Strategies*
- *Objectives (Annual Plans of Action)*



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## Strategic Planning Process

- *Gathering and Analyzing Information*
- *Critical Issues, Choices, and Challenges*
- *Shared Vision (values)*
- *Mission and Fundamental Purpose*
- *Goals*
- *Strategies or Objectives?*
- *Objectives or Strategies?*



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### Effective Strategic Planning

Elements:

- ☒ *Committee*
- ☒ *Shared Understanding*
- ☒ *Agreement on Outcomes*
- ☒ *Governance Leadership Commitment*
- ☒ *Involvement*
- ☒ *Action Plan and Results*
- ☒ *Accountability*




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### Barriers

- ☐ *Shortage of Time*
- ☐ *Avoidance of Risk-Taking*
- ☐ *Lack of Board Involvement*
- ☐ *Lack of Knowledge*
- ☐ *Micro-Management*
- ☐ *Holding Onto Old Ways*
- ☐ *Lack of Clarity about the Domains*
- ☐ *Skills Needed for Futures*




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### Strategic Planning Leadership Characteristics

- ☒ *They are Visionary and Future Focused*
- ☒ *They Possess an Entrepreneurial Spirit*
- ☒ *Risk Takers*
- ☒ *Good Communicators*
- ☒ *System Thinkers*
- ☒ *Imagination*
- ☒ *Strength through Diversity*
- ☒ *Building a Learning Organization*




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### Visionary Governance

- ✓ *Focus on the Ultimate Ends of the Organization.*
- ✓ *Create a Long-Range Plan for Board Development.*
- ✓ *Develop Shared Vision of the Organization's Future.*
- ✓ *Keep up with the Rapid Pace of Change.*
- ✓ *Stay in Touch with Stakeholders.*




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**Goal: To provide information on effective strategic planning for the nonprofit charter school**

**Outcomes:**

- Core Value discovery
- Activate a collaborative process
- Discuss ways to disseminate core values
- Discuss ways to evaluate core value effectiveness
- Value Strategic Planning as an effective tool
- Identify the "What", "Why", and "Who" of Strategic Planning




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**Goal: To provide information on effective strategic planning for the nonprofit charter school**

**Outcomes:**

- Identify key differences between long range and strategic plans
- Concepts and Terms
- Environmental Scanning
- Stakeholders identification
- Action Planning with Goals and Objectives aligned with Vision and Mission statements
- "Champion" appointments




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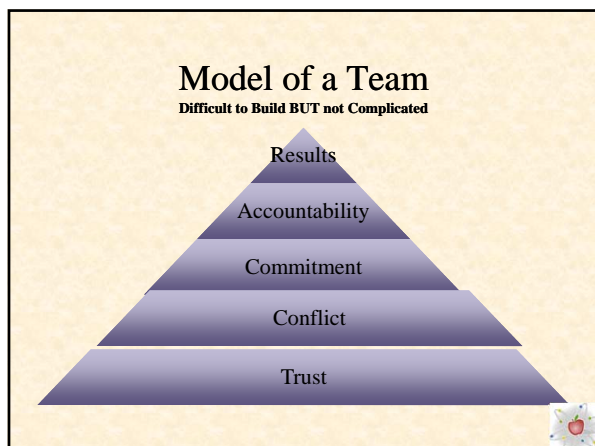
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**Indicators of  
Function/Dysfunction**

Indicator	Example of Function	Example of Dysfunction
Trust	<ul style="list-style-type: none"> <li>•Admit weakness and mistakes</li> <li>•Ask for help</li> </ul>	<ul style="list-style-type: none"> <li>•Conceal their weakness and mistakes</li> <li>•Hesitate to ask for help or provide constructive feedback</li> </ul>
Conflict	<ul style="list-style-type: none"> <li>•Extract and exploit ideas of all</li> </ul>	<ul style="list-style-type: none"> <li>•Politics and personal attacks</li> </ul>
Commitment	<ul style="list-style-type: none"> <li>•Develops ability to learn from mistakes</li> </ul>	<ul style="list-style-type: none"> <li>•Breeds fear of failure</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>•Identifies potential problems quickly by questioning</li> </ul>	<ul style="list-style-type: none"> <li>•Encourages mediocrity</li> </ul>
Results	<ul style="list-style-type: none"> <li>•Retains achievement oriented employees</li> <li>•Enjoys success and suffers failure acutely</li> </ul>	<ul style="list-style-type: none"> <li>•Stagnates/fails to grow</li> <li>•Loses achievement-oriented employees</li> </ul>

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- Team Building Activities**
- Trust Building – Share Personal Histories
  - Conflict Assurance – Mining for Conflict
  - Commitment – End each meeting with a recap of tasks and deadlines-communicate clearly
  - Accountability – Publication of goals coupled with progress reviews (*Team members don't want to let each other down.*)
  - Results – Clarify, publically declare, reward

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## Mission, Vision, and Motto



A mission clarifies an organization's purpose, or why it should be doing what it does; vision clarifies what it should look like and how it should behave as it fulfills its mission.




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## Mission, Vision, and Motto



A *Mission Statement* is an expression of purpose.

A *Vision* is an expression of values.

A *Motto* captures the essence of both.




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## A New Paradigm

- *The significant problems we face cannot be solved at the same level of thinking we were at when we created them – A. Einstein*
- *Too often the old paths are locked and the old solutions no longer solve anything – Gardner*
- And finally,
- *If you don't know where you are going, you will end up somewhere else – who?*




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## Sustainable Institution

**Sustainability** can only arise from a framework of values expressed in mission, vision, and policy activated through the strategic planning process that will promote stability and continuity. This assumes the governance leadership has entrusted itself to able staff who have bought into the institution's ways of doing things and abide by the rules of the game. This effort maximizes its objectives adding value and deriving a social dividend.



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## Strategic Planning is:

- A set of concepts, procedures, and tools designed to assist leaders and managers with fundamental tasks.
- The articulation of a crisp and clear strategic vision for the future.
- Imagining and creating value added strategies for sustainability



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## Strategic Planning is:

- A disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does, and why it does it.
- Concerned with finding the best or most advantageous fit between an organization and its environment, based on an intimate understanding of both.
- A process that deals with organization renewal, stability, and managing change



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### Strategic Planning is not:

- Neat and orderly
- For immediate gratification
- A panacea



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### Strategic Planning Importance

- Focus vision
- Establishes Priorities
- Recognize Opportunities
- Measure and Recognize Progress toward Goals
- Inventory Organization Assets
- Connect Aspirations to Strategies
- Add a Sense of Fairness to the Most Painful Change
- Involve Stakeholders and Respecting Their Contributions



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### Strategic Planning Value

- Prepares the Organization for Change
- Clarifies Community, Organizational, and Constituent Needs and Goals
- Resolve Key Issues
- Improve Services, Programs, and the Means to Deliver Them
- Determine Ways to Measure Organizational Success; and
- Funders are Requesting a Strategic (Business) Plan that is Seen as an Investment



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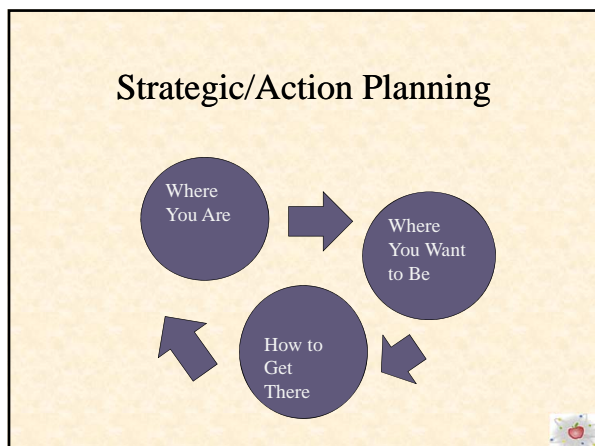
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- Strategic/Action Planning**
- Steps
    1. Current Goal and Accomplishment Inventory
    2. Organize the Issues
    3. Condense the Issues to a Manageable Size
    4. Prioritize the Issues
    5. Create Goals within Domains (themes for action and results) that are “value added”

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- Strategic/Action Planning**
- Steps
    6. Develop Measurable Objectives
    7. Develop Timelines for Accomplishment
    8. Appoint “Champions”
    9. Identify the barriers and facilitators to success
    10. Reassess and evaluate the strategies and strategic planning process

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**Vision into Reality  
Strategic/Action Planning**

- Domain
- Goals
  - ✓ Discrete
  - ✓ Measurable
  - ✓ Near and/or Long Term
  - ✓ Achievable
- Champions
- Pace & Fit



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**Reflective  
Strategic/Action Planning**

- Evaluation and Assessment
  - ✓ What has been accomplished?
  - ✓ What remains to be accomplished?



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**Evolution  
Organization to Institution**

- Alignment
- Emerging Values
- Reduces Uncertainty
- Creates Sustainability



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### Reliability Institutional Characteristics

- Tightly Coupled Systems
- Standard Operating Procedures
- Perpetual Staff Development
- Highly Efficient
- Redundancy
- Highly Networked
- Public-Private Partnership Synergies
- Error Reporting is Encouraged not Punished
- Bureaucratic but Nimble and Responsive to Crisis



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**Governance Leadership Development**

***The End***



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## School Effectiveness Measured by Return on Investment (RoI)

Parents, school administrators, foundations, and public policy makers have found it difficult to determine public schools' education delivery system efficiency in terms of output and measure investment yields in terms of student achievement as inputs. These quandaries are complicated further by the fact there has been unreliable and inconsistent metrics from which to evaluate the effectiveness of schools that, by definition, combines outputs and inputs in the form of ***Return on Investment (RoI)***.

The education establishment is beginning to value, understand, and develop metrics necessary to make a reasonable assessment of school performance, in part, from the encouragement of the Federal enactment of "No Child Left Behind." In California, the Academic Performance Index (API) has become a reliable means to capture a school district or school's socioeconomic characteristics, test scores, and comparative bands to determine academic achievement. The API now affords us the opportunity to correlate financial data to develop a school district or school's ***RoI*** profile.

The following ***RoI*** data and calculation for the Lassen County school districts were obtained from their 2009/10 API and financial information submitted to the California Department of Education and retrieved from "Dataquest"; CDE's data base. Dataquest not only provides efficient information retrieval but longitudinal data analysis as well.

### The ***RoI*** Calculation:

Elementary, High School, and Unified School Districts are grouped separately. Schools, as data points, within school districts were not measured as per student cost and revenue is not currently available (although CDE may want to organize this information for future analysis). The 2009/10 API and financial data obtained from their financials was matched by the dollar cost per student Average Daily Attendance (ADA) and the \$ revenue per student ADA. The Long Valley Charter School data was 2010/11 for comparison.

The efficiency calculation, output, was derived by dividing the API score by the \$ Cost per ADA. The investment yield calculation, input, was derived by dividing the API score by the \$ Revenue per ADA. ***RoI***, effectiveness, resulted from the average of the two measures:



Dr. David E. Guthrie, ESC

	<i>A</i>		<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	
	2009/10		\$				
<i>Lassen County</i>	P-2		Revenue		\$ Cost		
	ADA	API	Per ADA	Investment	Per	Efficiency	Effectiveness
					ADA		
Long Valley Charter School *	499	755	8,119	<b>0.093</b>	6,371	<b>0.119</b>	<b>0.106</b>
County Average	370	758	11,887	<b>0.082</b>	11,016	<b>0.082</b>	<b>0.082</b>
Richmond Elementary	203	870	6,340	0.137	6,346	0.137	0.137
Johnstonville Elementary	214	800	7,173	0.112	6,646	0.120	0.116
Janesville Union Elementary	390	840	7,867	0.107	7,948	0.106	0.106
Susanville Elementary	1,068	752	7,790	0.097	7,850	0.096	0.096
Shaffer Union Elementary	257	753	7,858	0.096	8,686	0.087	0.091
Lassen Union High	907	734	9,195	0.080	9,901	0.074	0.077
Big Valley Joint Unified	214	770	11,846	0.065	11,976	0.064	0.065
Westwood Unified	245	678	13,558	0.050	11,949	0.057	0.053
Fort Sage Unified	190	660	12,819	0.051	12,486	0.053	0.052
Ravendale-Termo Elementary	7	725	34,419	0.021	26,376	0.027	0.024
				<b>A / B</b>		<b>A / D</b>	<b>C+E / 2</b>

\* 2010/11 Data

#### Observation:

API alone does not reveal if the school district or charter school is allocating resources efficiently or determine investment yields. In addition, the highest **RoI** does not mean the school district or charter school scored the highest API. Rather, the API, matched with their financials, displays a different profile and answers the question, is this school district and charter school maximizing their resources to increase student achievement relative to other school systems? As the table above displays, Long Valley Charter School with a **RoI** of .106 is a better investment than the majority of school systems in Lassen County. Moreover, the **RoI** result, from an investor's point of view, would mean that an investment in LVCS yields higher student achievement than most. We have found that this is not atypical of charter schools.

# ATTACHMENT F

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*Action Plan*

*for*

*Charter School Organization Process Improvement*

*Presented by*



*Education Synergy Consulting (ESC)*

December 3, 2011

## **Introduction**

On July 5, 2011, Long Valley Charter School (LVCS) engaged the services of Education Synergy Consulting (ESC) to introduce and implement best practices discovering through surveys, interviews, and records if best practices are evident in LVCS and to what extent respondents are aware of their existence and demonstration. The Best Practices Assessment (BPA) survey respondents included three discrete groups: Board of Directors, administration, and management/staff. Their responses were organized to provide a coherent analysis of how LVCS is functioning deriving an understanding about current processes and introduce best practices for process improvement. From these findings are recommendations that could be incorporated into the Strategic and Action Planning project phase. The BPA focused on the following defined functional areas:

- Performance
- Governance
- Human Resources
- Education Service Delivery
- Business Services Management
- Facilities Maintenance
- Administrative and Instructional Technology
- Food Services
- Transportation

Performance and Governance were initiated first to support the Board training program followed by the other functional areas distributed and retrieved from LVCS experts and stakeholders.

No charter school education system is perfect nor was the expectation by the ESC Team evaluators that LVCS would qualify as a perfect charter school although it should be noted many responses suggest the Program is evolving and aware of the importance to create a plan of action, incorporating best practices, to place LVCS on the right track toward an “Alpha” charter school. The BPA process provided engagement and interest by the respondents about what it requires to become an excellent and valuable charter school to its community. Interviews and communication with the respondents revealed LVCS is adapting to a complex charter school environment that must respond to the requirements of its Charter, Incorporation, Bylaws, Memorandum of Understanding (MOU), IRS rules associated with Non-Profit Public Benefit Corporations, and Sarbanes-Oxley challenging the governance leadership to administer its programs as it continues operation and making this organization, and others so organized, the most accountable of public enterprises. Implementing best practices should enable a more efficient, effective, and accountable Board and school administration.

The BPA presentation is organized with a narrative introduction that encapsulates the responses from respondents in each major section of the survey battery and recommendations to improve LVCS’s processes and education delivery system.

LVCS has an exemplary hybrid education program dedicated to and focused on individual student achievement and success regardless the venue. It is evident that the governance leadership and staff are working together to organize an efficient and effective charter school system able, in our opinion, to adjust the education program effectively despite operational constraints imposed from inside and outside the charter school by the state and federal governments. The support system that makes this possible, however, could improve further by a concerted effort to enhance communications about its operations becoming more transparent, responsive, and accountable. Much of what has been observed through the BPA process can be ameliorated by a more engaged and connected communication system among stakeholders that will allow best practices to emerge and embed in LVCS. Moreover, policy development should be integral to LVCS's governance leadership that will clearly define the Board of Directors and administration roles and domains so that policy, through procedures, carry out the will of the Board of Directors and accountable. For all the functions described in the BPA, an Action Plan, incorporated into the Strategic Planning process, will lead to an improved operating system translating into higher student achievement.

With gratitude, we want to extend our appreciation to the Board, administration, and staff who responded to the surveys providing responses that, in our judgment, offer an accurate description of LVCS's operating profile. The ESC Team's experience validates that when charter schools become aware of where they stand and what they can become, movement toward improvement is a natural outcome. The BPA describes a point in time that if the program were to initiate the same process in the future would, in our judgment, demonstrate significant improvements for the better; some of which are already happening which is to the credit of the governance leadership and staff in transition who are diligent about performing well every day.

## Performance

Performance, in terms of organizational development, is defined as a process or manner of functioning or operating activity that culminates in goal accomplishment. It is recognized accomplishment; the act of performing; doing something successfully. Most importantly, it transforms latent knowledge into applied knowledge. The BPA surveyed the respondents to determine the extent performance was evident in LVCS. The survey revealed there is a consistent view LVCS wants to evolve into a great school and open to process improvement. While LVCS articulates its potential for success, it could do more about publishing the evidence of that success to the Board and LVCS's community. Written reports describing the "success map" supplementing the program assessment and evaluation forum, both substantive and meaningful, would be helpful for the Board and community's understanding and framed to support initiatives the Board and administration has determined valuable to pursue.

1. The response to whether or not there were "clearly stated goals and measurable objectives" revealed there are goals and objectives but the process needs further development and refinement. There appears a prominent gap between what goals and objectives that have been developed and implementation and assessment that is narrowed by employing student assessment software. LVCS uses Scantron and Data Director to retrieve and analyze student data. Goals and objectives have been established and oriented toward the education program. But there appears to be a communication gap between the Board and staff about their vision and realizing that vision. LVCS adapts goals and objectives to its context but its aspirations may be beyond its resources to pursue. This places a high premium on resource management with a clear view about its capacity to perform. LVCS could benefit from developing a policy and a comprehensive process that would initiate a perpetual strategic and action planning process fully invested by the governance leadership. ***Recommend adopting a policy that affirms a broad based strategic and action planning process enabling the governance leadership to build a sustainable charter school education system. Such a policy will engage the Board of Directors and welcome stakeholders to participate in the process accountable for results in all operational areas.***

2. It is evident that LVCS is beginning to analyze student achievement data and administers an assessment program organized by the School Director and staff. Such a process aligns with LVCS goals focused on the individual student's education plan adjusting the plan according to the assessments in collaboration with the teacher, parent, and student. The respondents acknowledge there are reports that may not be widely distributed or presented in an understandable format. LVCS would benefit by comparing its performance to other similar ranked charter schools and school districts through Return on Investment (RoI). The RoI would correlate resources to API (the uniform measure of academic performance) for comparison purposes and business planning. ***Recommend the administration continue improving its student achievement profile, information system,***

***and evaluate the assessment program to determine correlation with the State standardized testing system. Periodic reports, supplemented in writing, to the Board, tracking student assessment results longitudinally, including disaggregated data for student populations, and are beneficial. Encourage LVCS calculate its RoI.***

3. The School Advisory Council serves in an advisory role and a venue to deliberate on performance issues and budget priorities. The Council is comprised of interested members of LVCS's parents and staff. LVCS should rely on more formal communication tools and strategies to reveal stakeholder concerns and suggestions to improve school performance. LVCS relies on parent surveys to support the outreach effort, obtains feedback about LVCS's education service delivery system, including questions about student needs. ***Recommend LVCS continue stakeholder outreach and inclusion efforts that will support and help define LVCS's future direction and evolution in collaboration with the Board of Directors.***

4. It is apparent LVCS allocates resources to support its education program but unclear how LVCS determines its return on investment, or if it is operating efficiently or effectively. LVCS responds it does not have a business plan formatted to include all elements established for charter school, non-profit agency, business plans for broad dissemination to stakeholders. ***Recommend LVCS develop a Business Plan and conduct a quality review and effectiveness through an advisor or banker seeking the answer to the question, "is LVCS investment worthy?"***

## Governance

Governance, derived from the Greek word to “steer”, is the process that organizes decision-making through a corporate body lead by a Governing Board that articulates its expectations through policy, expressing their vision and intentions for the organization’s future, granting authority and responsibilities, accountability, and allocation of resources through budgeting and finance. Alternatively, as Graddy describes, “The institutions and processes by which we make collective decisions and solve collective problems Governance encompasses how we formulate public policy and deliver public services.” Governance leadership can include the Administration that represents the agency through which governance is activated and performance is measured. The following describes and assesses LVCS governance in terms of these elements and governance leadership in practice.

1. Most respondents noted roles are delineated in bylaws, charter document, and policy but need clarity. Charter schools have begun posting their governance documents online for access by its community. LVCS is updating their web site with these features. It was noted in the comments that the respondents identified Board and School Director responsibilities do exist but require refinement. The Board has not received formal orientations reviewing their roles and responsibilities. It was noted there are procedures for how to access staff, to respond to constituent inquiries, conflict resolution process, and how the board members adhere to the procedure. It was noted the Board of Directors are informed in advance of controversial issues and thus develop an approach to manage such issues. It is imperative that the governance leadership establish both formal and informal lines of communication that can be nimble and responsive to controversy. Without a plan of action, the governance leadership is fighting fires that detract from their primary mission and diminish effective responses. LVCS retains a policy binder in the business office available for the Board and public. The Board has a self-evaluation process but not fully developed or consistently administered. ***Recommend Board review their Uniform Complaint policy and procedure for currency. Recommend the Board continue to support a governance leadership self-evaluation process that is timely and administered consistently to obtain feedback about its performance. A conforming policy and procedure with evaluation instrument exhibits should be adopted.***

2. It is evident from the responses that the governance leadership is moving toward developing a process for a more efficient and effective board meetings. It was noted a calendar has been developed but needs refinement. Board meetings are scheduled for convenience, including time and location, and welcome’s public participation although the agenda format may need improvement. Agenda packets are presented to the Board in advance of the meeting to allow time for Board review and preparation. Memoranda



describing the agenda item and expectations for Board discussion and/or action are not part of LVCS Board packets. Memoranda could improve the presentation and create greater efficiency for the Board meetings and should be limited to one page describing the essentials with specific back up as attachments. ***Recommend agenda planning meetings with the Board President and School Director at least one week prior to the meeting date to allow staff sufficient time to assemble and distribute the packet to the Board that is a good practice. Recommend the School Director adopt a Records Retention policy for how LVCS retains the Corporation and Board meeting documents such as meeting minutes, resolutions, and archival materials in a safe and fireproof depository.***

3. A policy adoption and review calendar should be developed identifying high priority or recurring policies that need review. Procedures should accompany policies to provide guidance for administration actions and decision-making. Not all policies need procedures as the policy may provide sufficient guidance. LVCS's Attorney could perform policy reviews before adoption. ***Recommend LVCS review its policy inventory to ensure that LVCS has all relevant and applicable policies. Moreover, ensure policies are compatible and organized to support, not interfere with, LVCS's administration and operations respecting the distinctions between the Board and administration domains. Recommend LVCS policies review for Incorporation Documents, Bylaws, Charter (Element #4), and Memorandum of Understanding for consistency.***

4. LVCS's Attorney should forward policy changes prompted by changes in law. Charter schools should have only one attorney unless the attorney lacks the expertise and outside counsel is required. Multiple attorneys can present conflicts and confusion about varying interpretations of the law. It is important the LVCS not seek and rely on opinions that may conform to the desired outcome of the LVCS. Rather, the LVCS should rely on the opinion of the Board appointed attorney that is defensible. ***Recommend LVCS conduct a periodic review of the Attorney's service quality and performance and survey legal costs from other charter schools to determine if the LVCS is receiving the highest value for services rendered. Recommend Attorney policy including access process and procedure.***

5. LVCS has an Organization Chart showing functional lines of authority but needs updating to depict current and with an eye on future operating structure(s). Job descriptions should align with the organization structure. The span of control (number of supervised employees) should be such that it allows the supervisor the ability to manage their respective departments and be accountable. The organization structure should avoid conflicts of interest and nepotism. ***Recommend LVCS review the Organization Chart for currency, anticipating organization changes, determine organization "fit" to avert the tendency for bureaucracies to expand as organizations grow adding functions and staff that potentially could create overlapping layers, increasing transaction costs without consideration of the overall impact on organization effectiveness, potential for conflict of interests, and nepotism. Recommend posting the organization chart on LVCS's web site and distribute to stakeholders as an information item.***

6. Staffing levels from other comparable charter schools will help the LVCS determine how the organization is best organized to deliver education services as it evolves especially needed for a hybrid charter school. As the school becomes larger, staffing levels

and ratios will become more critical to ensure its relative efficiency and effectiveness. ***Recommend the LVCS conduct periodic and systematic surveys that will reveal other schools' staffing levels for comparative analysis and recommendations for change or validating current workforce, impact on operations, and budget resources available for a growing school.***

7. The Board of Directors has a fiduciary responsibility expressed in law to understand financial reports so it can determine LVCS's financial condition. In addition, the Board should establish an Executive Committee composed of Board member(s) who serve as a liaison between the Board and administration to interpret and support the administration's efforts to present understandable and meaningful financial information. It is evident that the Board of Directors are receiving financial information by which to determine LVCS's financial condition. Significant variances or budget adjustments should be presented to the Board of Directors. The administration presents periodic financial reports required by the State of California and receives annual audits. However, the reporting could include multi-year forecasting with assumptions about its future linked to the strategic planning process. As a practice, LVCS School Director should arrange training for the Board of Directors about their financial reporting system. ***Recommend reports include Budget with Variances, Balance Sheet, Cash Flow, and Statement of Changes and Operating Position with narratives. Budget trending and long-term commitments presented to determine if LVCS is within its spending targets, cash flows, and has adequate resources to support its long-term commitments. Recommend Board training to include school and non-profit fund accounting. It is important that accountability systems be in place through policy and procedures ensuring LVCS complies through internal audits. LVCS's Auditor or consultant can provide guidance for this effort.***

8. The responses indicate knowledge about administration's roles and responsibilities. It is unclear that the administration knows what its role is and expectations from the Board of Directors but may need review to adapt to current and future LVCS development. The evaluation system appears to be adequate for accountability and performance assessment. The responses indicate that there are accountability systems for the administrator through Board but not with School Advisory Council participation. ***Recommend the administration review and develop an evaluation process, systems of accountability, and policy and procedures collaboratively with the Board having surveyed other school systems or expert consultation for process improvements.***

9. The LVCS does not have a fully developed Strategic Plan with metrics for accomplishment. Goals have been established but measurable objectives could enhance the process with deadlines are desirable with an annual performance review aligned with the Budget process so resources can be allocated to support priorities. ***Recommend the LVCS organize a multi-year Strategic Planning process to include Action Planning with measurable objectives and timelines. Recommend adopting a Strategic Planning policy to promote and support strategic planning, action planning, implementation, and program evaluation and assessment as an ongoing process. Stakeholder roles should be recognized, encouraged, and an organization structure designed for the free flow of information, i.e., committees.***

10. Charter schools have particular challenges when estimating enrollments. Typically, they rely on the existing enrollment rolling into the next year or a modified cohort method determined by grade level progression. Due to student mobility, attractiveness, and quality of the education program creates uncertainty and a higher error factor than more stable, site based public school populations that focus primarily on residential development and in-migration factors. Charter schools are able to project more reliable enrollments by maintaining waiting lists. ***Recommend LVCS continue developing projections that rely on historical data while tracking changes in enrolled students demographically factoring changes to the education program that may affect parent and student interests and choice. The budget has sufficient reserves that match the inherent enrollment projection risks based on a 3% average. Note: charter schools are not required to maintain an Economic Uncertainty Reserve (EUR).***

11. The LVCS builds its budget based on goals although not from a formalized strategic planning process. Ideally, an Action Plan will incorporate measurable objectives that are compelling, accountable, and achievable. Communicating a budget framed by the strategic plan will build support and energize LVCS. ***Recommend incorporating an evaluation and assessment process aligned with the strategic plan budget development and implementation process.***

12. LVCS has applied and received grant awards in the past. LVCS is required to establish separate accounts for the grants when they are awarded. The budget system should be so organized and able to generate reports that will provide updated financial information and show grants are not co-mingled with the General Fund. Indirect costs should be charged to the maximum allowed to recover funds for operational overhead. ***Recommend the administration and Board receive periodic reports about LVCS's grants and results from the grant awards. LVCS has relied on staff and volunteers in the past and should consider employing a grant writer that could expand the opportunities beyond LVCS's limited resources devoted to resource mining.***

13. LVCS's governance structure requires a School Advisory Council that includes parents and guardians and stakeholders involved in LVCS providing advice concerning issues affecting LVCS's education program. LVCS relies on a variety of communication media to inform its community, primarily through staff, teachers, Web site, and E-mail. A parent and student handbook provides relevant information about the school's unique education program. ***Recommend LVCS review the current public information methods to determine effectiveness for inclusion and outreach to other potential stakeholders. Communications in school systems are inherently imperfect and advisable to explore perpetually different means or media to communicate more effectively especially as technology advances. Recommend using Survey Monkey to reach and achieve a higher survey response rate.***

14. It is evident from the responses partnerships could play a greater role in LVCS and announced for the Board and community's awareness. Advise including a window on the Web Site that invites participation. Partnerships can facilitate contacts through their networks, including foundations for grant opportunities. LVCS's partnership program

initiative is evolving and will expand as the school grows and resources available for the outreach effort. LVCS could strengthen and more actively engage in its volunteer resource community. ***Recommend the LVCS strategize on how best to engage and expand partnerships including inviting partners to fill vacant Board and Council seats.***

## **Human Resources**

One of the most critical support functions in LVCS is Human Resources (HR). HR organizes employee selection, retention, and transition for the LVCS. HR supports the administration by employing staff who will add value to the organization developing policies that encourage retention, such as salaries and benefits, and establish a working environment that will maximize productivity, generate enthusiasm, and work enjoyment. It is important that HR keep abreast of changing personnel law and updating policies and procedures, including handbooks, that describe the working relationship between the employee and LVCS. Recruitment and selection, hiring practices, interviews, contracts, orientations, competitive benefits, evaluations, staff development, and retirement are essential elements that need incorporation into an effective HR program.

1. It is apparent from the respondents that the recruitment process is satisfactory. Selection criteria based on Board of Directors approved job descriptions are consistently applied. The demographics of students should serve as a guideline to the LVCS's outreach and hiring practices to promote diversity and opportunity. The California Basic Education Data System (CBEDS) provides a racial and ethnic profile. Postings for LVCS's job announcements forwarded to EdJoin and other web sites should be updated through quality control and a tickler system maintained in HR. Screening applicants is critical particularly with No Child Left Behind (NCLB) credentialing requirements. Evidence of the credentials shall be on file and current. The LVCS has experienced shortages in qualified personnel. Overcoming or anticipating shortages through an HR plan aligned with the budget process should ameliorate future shortages. The LVCS's operating practices is to hire the best possible candidate from a pool of candidates emanating from the recruitment process. The LVCS should adopt a Nepotism policy. ***Recommend posting open position announcements on LVCS's web site. Recommend an internal review of current practices for legal compliance and promoting applicant processes that are more effective.***

2. LVCS has an employee handbook and the administration will update annually to incorporate current policy and personnel law after review by the LVCS's Attorney. The revised handbook should be presented to the Board of Directors and approved then distributed to the employees during a meeting where employees have an opportunity to ask questions about the handbook. Employee handbooks serve as de facto LVCS HR policy and there should be no conflict between HR policies and the handbook. ***Recommend HR develop a survey to determine satisfaction levels for their services, response to staff needs, and measuring overall morale. Recommend an internal quality review or consultation for handbook to update and revise as necessary.***

3. The LVCS conducts its own staff development program based on employee needs through the evaluation process guided by internal measures and currently under review for process improvement. Typically, the County Office of Education (COE) organizes staff development sessions and meetings that may be available to the LVCS. Staff development session evaluations should be distributed to provide feedback from attendees to determine the value for their professional development. ***Recommend the administration update the Staff Development Plan that includes examples of topics for meetings, approved sessions for staff development, and meeting schedules on a master calendar distributed to staff and published on the web site. The administration should alter the Staff Development Plan accordingly. The LVCS should access annually COE's training list and schedule. Staff development should be aligned to the individual employee's professional development plan and recognized through the evaluation process linked to each individual's performance. An ad hoc committee should be formed with staff members, including classified staff, to help design the Staff Development Plan that will maximize their interest and elevate their job skills benefiting LVCS. The budget should reflect a commitment to support the Staff Development Plan. Moreover, a Staff Development policy should encourage staff development including support continuing education and certifications.***

4. The LVCS's Evaluation process requires review and samples of the evaluation forms for both Certificated and Classified should be updated reflecting the evaluation process developed between the supervisor and employee. The supervisor should receive the previous evaluation along with the evaluation packet for the employee evaluation for reference and continuity. It is important that the previous year's goals, objectives, and observations serve as a basis to determine if there has been improvement or needs improvement. Effective evaluations include appropriate rating scales applied uniformly and evaluations that are subjective and written in a narrative form require measurable performance criteria. LVCS involves staff regarding the administration's performance. ***Recommend a tracking system for the evaluation cycle and assign personnel to monitor the process from evaluation distribution, evaluation appointments, to documentation with signatures from the supervisor and employee retained in updated personnel files.***

5. The LVCS has both informal and formal processes dealing with employees who are not performing as they should. According to practice, employees are placed on administrative leave when there is a threat to the health and safety of staff and students pending an investigation. Dismissal from their position is initiated once the facts support the charges against the employee. The LVCS would consult their Attorney before dismissal

proceedings begin. The LVCS will consult with its Joint Powers Agency (JPA) insurance provider as to the current rules and regulations regarding employee random drug testing and counseling. ***Recommend, for dismissal cases, the administration and Board of Directors continue to consult LVCS's Attorney about the most recent rules for the process and following guidelines from policy and the employee handbook.***

6. Respondents acknowledge that absenteeism is an issue at this time. For substitutes, there is currently no formal orientation before reporting to work. The LVCS does not rely on a substitute list. ***Recommend the administration establish a system of accountability through monitoring the reporting activity tracking absenteeism trends and anomalies. While LVCS has limited use of substitutes, it should identify what staff members require substitutes and for extended periods when work needs to be done. Recommend substitutes receive an orientation before reporting for work.***

7. The HR filing system is secure and has restricted access. Checklists with ticklers accompany the files and organized in a manner that allows efficient document retrieval done manually although LVCS is searching for process improvements. ***Recommend an internal review or through consultation a check on HR files for completeness and legal compliance and advice about file system and retention.***

8. Charter schools have historically low workers compensation claims experience. It appears from the respondents LVCS may need to review its workers compensation claims process with the assistance of LVCS's JPA insurance carrier. Facilities work orders that identify potential injury risks warrant a high priority response. The employee handbook includes an "LVCS Safety Plan" that describes responses to emergencies and injuries on the job. The LVCS conducts annual health and safety training for staff. ***Recommend updating the Staff Development Plan for current issues regarding Health and Safety that will support LVCS's emphasis on safety and support its continued success with injury prevention with the assistance from an HR consultant and Workers Compensation insurance agent.***

9. The LVCS reviews its health benefit plans annually in advance of seeking the best plan available at the lowest cost before open enrollment. There is a process to seek employee opinions about existing plans and what other benefits could be included in the package. It is evident the Board of Directors could be better informed about the health and retirement plans currently in force. In addition, rules have changed regarding post employment benefits plans described in Government Accounting Standards Board (GASB) Announcement 45 that includes liability, employer obligations, actuary, and reporting standards that comply with IRS rules should the LVCS decide to enter into employee post-retirement planning. ***Recommend the administration present health and benefit plan renewals at a Board meeting. Recommend the LVCS consult their Auditor about GASB 45 before considering alternate retirement plans.***

10. LVCS should ensure that the employee database link employee files with payroll for position control and a process to ensure the employee data records are complete and HR operates efficiently. HR policies and the employee handbook should be consistent.

Apparently, time and resource constraints have interrupted LVCS HR process improvements. ***Recommend the LVCS conduct a work force analysis for HR in light of NCLB requirements and LVCS's staffing levels. Recommend an internal review and conduct a position control survey of other charter schools to determine wage and salary rates and compare job descriptions to discover disparities in LVCS's staffing allocations.***

11. LVCS implements a health and safety program described in the handbook and activated by a supportive administration. LVCS has a good health and safety record of accomplishment evidence by its low insurance and workers compensation rates. ***Recommend LVCS continue its successful health and safety program and keep abreast of ways to improve the risk management program.***

12. LVCS operates an efficient, effective, accountable, and legally compliant payroll system through the business service provider's accounting system. The system is organized to respond to payroll cycles as well as tax and benefit filing deadlines although this has been an issue in the past. ***Recommend LVCS continue operating the payroll system that is currently employed and working in a satisfactory manner.***

13. The LVCS has policies and procedures that respond to respect the right of employees to voice concerns and complaints channeled through a reporting process and investigates incidences. LVCS has zero tolerance for retaliation against employees who file complaints. ***Recommend policy review and adoption, i.e. "Whistle Blower", and annual policy and incident reviews for revisions and process improvements.***

## Education Service Delivery

LVCS's education program connects instruction with parents and students engaged in the learning experience. LVCS's Mission is:

The mission of our school is to equip our students with the social and educational skills to be successful in a global society. LVCS focuses on developing each student's ability to read, write, speak and calculate with clarity and precision. LVCS believes that learning is a lifelong process; "smart" is not something you are, but something you become by working hard. LVCS strives to help each child develop awareness and respect for the uniqueness of one another. Diversity is respected and valued.

How well LVCS carries out its mission became a focus of the BPA. To measure the program's value solely by standards mandated by NCLB would be misleading. LVCS education program is more than the "test" when evaluating the quality of its education program as evident by LVCS's continuing growth and attractiveness to parents and students. These value added qualities were uncovered through the BPA. Some questions have emerged from this process: How can LVCS continue to elevate student achievement from the limited resources it has available? Rather than asking how we can reach the API targets, LVCS should be asking what would it take to make every student in LVCS proficient at every grade level? Answers to these questions were hinted at from the BPA responses.

1. LVCS has recognized the value for student assessments that allow teachers and administration to determine progress and achievement before State testing in the spring. Waiting for the API results in the subsequent year challenges the program to develop an effective response to achievement gaps. LVCS uses software educators need for timely and reliable access to student performance data. These web-based platforms manage LVCS-wide assessment and computer diagnostic testing that can be adapted to the teacher's and students' needs and pace of instruction. Research shows that students who have periodic testing score higher than those without this testing protocol. Diagnostics are available on demand with flexibility to develop tests from a battery of questions and problems in the database. The questions and problems are aligned to State standards providing an advantage for students through test preparation. The system's capability can disaggregate data for individual students, sub-groups, and the entire LVCS student population. The testing protocol establishes benchmarks that will track student progress. This should help LVCS's ability to track students as they progress through the education program. LVCS compiles student assessment data for analysis. Once the data is available, the administration and teaching staff, in consultation with the parent, develops a plan of action for each student who has not achieved proficiency and a timeline for attainment. For those students who lag behind, LVCS provides supplemental and remedial instruction. The database and analysis is a LVCS practice. ***Recommend LVCS periodically present to the Board of Directors and LVCS community the student assessment program results in a meaningful way depicted in graphic form. Consider transferring processes and innovative practices that would be valuable for other school systems.***



2. The LVCS is affiliated with the Special Education Local Plan Area (SELPA) through the Lassen County Office of Education (LCOE). The LVCS is required to follow Federal Individuals with Disability Education Act (IDEA), State Law, SELPA, and compliance policies to administer the special education program designed to provide an education to students with disabilities. Each public school child who receives special education and related services must have an Individualized Education Program (IEP). IEPs must be designed for one student and must be a truly individualized document. The IEP creates an opportunity for teachers, parents, LVCS administrators, related support services personnel, and students (when appropriate) to work together to improve educational results for children with disabilities. The IEP is critical to ensure a quality education for each child with a disability. To create an effective IEP, parents, teachers, other LVCS staff, and often the student, must convene meetings to look closely at the student's unique needs. These individuals pool their knowledge, experience, and commitment to design instruction and curriculum that will help the student's involvement and progress in LVCS's education program. IEPs determine the special education services required for each special education student. Writing and implementing an effective IEP requires teamwork. According to Federal IDEA regulations, the IEP development process steps are as follows:

*Step 1: Child is identified as possibly needing special education and related services.*

“Child Find.” The state must identify, locate, and evaluate all children with disabilities in the state who need special education and related services. To do so, states conduct “Child Find” activities. A child may be identified by “Child Find”, and parents may be asked if the “Child Find” system can evaluate their child. Parents can also call the “Child Find” system and ask that their child be evaluated. Alternatively, a referral or request for evaluation. A school professional may ask that a child be evaluated to see if he or she has a disability. Parents may also contact the child's teacher or other school professional to ask that their child be evaluated. This request may be verbal or in writing. Parental consent is needed before the child may be evaluated. Evaluation needs to be completed within a reasonable time after the parent gives consent.

*Step 2. Child is evaluated.*

The evaluation must assess the child in all areas related to the child's suspected disability. The evaluation results are used to decide the child's eligibility for special education and related services and to make decisions about an appropriate educational program for the child. If the parents disagree with the evaluation, they have the right to take their child for an Independent Educational Evaluation (IEE). They can ask that the school system pay for this IEE.

*Step 3. Eligibility is decided.*

A group of qualified professionals and the parents look at the child's evaluation results. Together, they decide if the child is a “child with a disability”, as defined by IDEA. Parents may ask for a hearing to challenge the eligibility decision.

*Step 4. Child is found eligible for services.*

If the child is found to be a “child with a disability”, as defined by IDEA, he or she is eligible for special education and related services. Within 30 calendar days after a child is determined eligible, the IEP team must meet to write an IEP for the child.

*Step 5. IEP meeting is scheduled.*

The school system schedules and conducts the IEP meeting. LVCS staff must:

- Contact the participants, including the parents;
- Notify parents early enough to make sure they have an opportunity to attend;
- Schedule the meeting at a time and place agreeable to parents and the LVCS;
- Tell the parents the purpose, time, and location of the meeting;
- Tell the parents who will be attending; and
- Tell the parents that they may invite people to the meeting who have knowledge or special expertise about the child.

*Step 6. IEP meeting is held and the IEP is written.*

The IEP team gathers to talk about the child’s needs and write the student’s IEP. Parents and the student (when appropriate) are part of the team. If a different group decides the child’s placement the parents must be part of that group as well. Before the school system may provide special education and related services to the child for the first time, the parents must give consent. The child begins to receive services as soon as possible after the meeting. If the parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. If they still disagree, parents can ask for mediation, or the school may offer mediation. Parents may file a complaint with the state education agency and may request a due process hearing, at which time mediation must be available.

*Step 7. Services are provided.*

The school makes sure that the child’s IEP is being carried out as it was written. Parents are given a copy of the IEP. Each of the child’s teachers and service providers has access to the IEP and knows his or her specific responsibilities for carrying out the IEP. This includes the accommodations, modifications, and supports that must be provided to the child, in keeping with the IEP.

*Step 8. Progress is measured and reported to parents.*

The child’s progress toward the annual goals is measured, as stated in the IEP. His or her parents are regularly informed of their child’s progress and whether that progress is enough for the child to achieve the goals by the end of the

year. These progress reports must be given to parents at least as often as parents are informed of their non-disabled children's progress.

*Step 9. IEP is reviewed.*

The IEP team reviews the child's IEP at least once a year or more often if the parents or school ask for a review. If necessary, the IEP is revised. Parents, as team members, must be invited to attend these meetings. Parents can make suggestions for changes, can agree or disagree with the IEP goals, and agree or disagree with the placement. If parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. There are several options, including additional testing, an independent evaluation, or asking for mediation (if available) or a due process hearing. They may also file a complaint with the state education agency.

*Step 10. Child is re-evaluated.*

At least every three years the child must be re-evaluated. This evaluation is often called a "triennial". Its purpose is to find out if the child continues to be a "child with a disability", as defined by IDEA, and what the child's educational needs are. However, the child must be re-evaluated more often if conditions warrant or if the child's parent or teacher asks for a new evaluation.

It is important for the LVCS to comply with the Special Education rules and regulations. Infractions will be the responsibility of LCOE/LVCS jointly that can lead to costly litigation and special education services. Ongoing staff training in special education is necessary for a successful program. Record keeping and monitoring the student's progress is mandatory. A database is required to track assessments and channel resources to student needs and support the special education program overall. The LVCS disaggregates special education student data including non-academic indicators. The LVCS does establish goals and monitors progress through the IEP process. Periodic contacts by the LCOE Special Education Liaison ensure special education program is progressing. Exceptional student's individual education programs are organized based on a "learning style model" that is more fitted to the individual student needs. Satisfaction surveys are distributed to parents but parent training is limited. ***Recommend the LVCS host training sessions facilitated by administration and LCOE Special Education representatives. Staff continue to identify exceptional students to ensure their needs are met, as well as, through curricula, instruction, and assessment. Recommend LVCS review special education program staff development program for effectiveness.***

3. The LVCS is prepared to conduct diagnostics for English Language Learners (ELL) through the California English Language Development Test (CELDT) for students requiring these services enrolled in the LVCS. According to State Department of Education:

Any pupil who primary language is other than English as determined by the home language survey and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be

assessed for English language proficiency with the test within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days after the date of first enrollment, but not before July 1 of that school year.

The LVCS would identify “at risk” students where the teachers and administrators continuously seek and share their experiences about students then act on what they learn through Student Success Teams (SSTs). The SST process is collaborative, offering mutual support, personal and professional growth. The LVCS currently does not participate in Federal programs that require a formal student tracking and reporting database. Although, the LVCS has established criteria for “At Risk” students and organizes the student database to support the learning model for the individual education plan. ***Recommend the LVCS continue its efforts to identify and support individual student learning plans relying on its student information system. Recommend coordination between attendance and accounting departments when reporting student numbers and demographic profile monthly to identify students who may need additional instructional support. Recommend LVCS review ELL staff development program for effectiveness.***

4. The LVCS guides the student’s academic program and meets with parents and students annually to review and monitor their progress. LVCS offers accelerated programs for students who qualify through assessments and would benefit from such programs supporting student success although some staff are unaware of the full extent of the offerings. ***Recommend refining the student database so it can identify students who might be eligible for gifted placement opportunities. Recommend conducting an LVCS accelerated program presentation describing the content and pedagogy to the Board and staff. Staff development should be employed for effective program delivery.***

5. The LVCS has limited workforce partnerships. ***Recommend LVCS develop a database for students who want to pursue work experience and designate staff to pursue the best opportunity that aligns with the student’s interests and aptitude.***

6. The LVCS participates in federal funding and required to file a Local Education Agency (LEA) Plan. The LEA Plan components include identifying at risk students, developing a learning improvement plan, evaluation, and assessment; elements that could be adapted to the LVCS’s education master plan. Moreover, LVCS provides remediation programs for students who are experiencing difficulty. At-risk students are identified and an individualized learning plan is implemented based on the student profile. The LEA Plan also requires establishing a School Advisory Council (SAC) and, for English learners, an English Language Advisory Council (ELAC) as needed. ***Recommend the administration assemble a team of expert staff to conduct internal program evaluation process including a review of the SAC composition and adherence to Open Meetings Act as it is a “standing” committee. Goals, objectives, and measures of effectiveness should be established to determine the Return on Investment (RoI) and reviewed during the annual budget development process. The Strategic Planning process should align with the education planning process outcomes.***

7. The LVCS employs standards based instruction augmented by other alternative, choice based, curricula, and pedagogy. Schools should not be measured solely by the test alone but should supplement instruction with visual and performing arts, physical education activities, and opportunities to visit sites, communities, and cultures beyond their neighborhoods. Student portfolios, including work demonstrations, should be part of the student's academic file. Staff intervene to advance each student's learning profile. Teachers have been trained to provide effective feedback for parents about their student's progress and meet at least monthly during the school year to monitor and guide progress according to the individual learning plans. Information about transfer students from their cum files is analyzed for academic standing and include assessments so the LVCS can develop an individual learning plan and successful transition. The LVCS conducts articulation and tracks student progress from one grade to the next. The LVCS relies on the student database for information about student progress. ***Recommend the LVCS continue to refine, organize, and convene periodic inter grade level staff meetings tracking student matriculation. Retention data analysis should be part of the process.***

8. To measure the education program delivery system requires annual review and survey responses from stakeholders involved in the process. Bureaucracies have a tendency to grow over time and organizational development must not only deal with growth but impact of the system's tendency to increase transaction costs, experience rigidity, and complacency leading to less that effective output. ***Recommend an annual review and evaluation of the current system with a work force analysis including ratios and effectiveness measures as part of the budget development process. Recommend the LVCS continue its comparisons and best practices research efforts obtained from other charter school systems and resource networks. Recommend the LVCS document and publish the results and reporting to staff and the Board of Directors. Typically, such results will create efficiencies the organization can employ to benefit the LVCS. Incentives for cost savings measures should be considered by the LVCS but are not necessarily monetary.***

9. State law requires public schools supply from the State approved textbook list and instructional materials adopted by the LVCS. This does not apply to charter schools, however, these instructional materials are aligned to State standards and testing as part of the API and AYP measurement system. ***Recommend the administration conduct an inventory of its textbooks and implement adoptions according to the cycle recommended by the State of California. Recommend assembling an ad hoc committee composed of staff, parents, and community to review and recommend appropriate textbooks and instructional materials that will fulfill State mandates and aligned with the LVCS's education program curricula. Recommend adopting a policy supporting this effort. Moreover, an inventory policy and procedures to guide the textbook and instructional materials disposition and disposal process.***

10. Charter schools face challenges when fully equipping their learning/media centers with sufficient and up-to-date reference materials. The LVCS is facing the same challenge exacerbated by limited resources and relies more and more on technology to bridge the gap, which is good, but can be costly for hardware and software packages and maintenance.

***Recommend relying on periodic user surveys that can reveal ways to improve service delivery. Recommend including and develop a funding strategy for a library/media center in LVCS's Facilities and Technology Plans.***

11. One of the many LVCS's education program's unique and innovative features is its web links that bring the world's courseware to the desk/lap top for teachers and students. This has been an extraordinary development in student research and learning that empowers the LVCS to make available resources that, a few years ago, were not available but to the few. In some respects, charter schools have been at the forefront of this innovation and evolution in education. This technology has been instrumental for student learning in an environment of an interconnected world making the program more attractive to parents and students who have become savvy about technology. The LVCS has an instruction program for its technology and protocol for its use by parents and students. The staff conducts research into new and innovative software that will add value to the teacher's instruction and enhance student learning. ***Recommend the LVCS conduct periodic user surveys targeted to discover satisfaction with the training and applicability of the learning software used by the LVCS prescribed in the Technology Plan. Staff development is the most significant ingredient and indicator of a successful technology integrated instruction program.***

12. The LVCS relies on the LCOE staff to administer the Special Education Program. Since IEPs are the centerpiece in the special education program and follow a sequence cycle, it is important the LVCS rely on the system to carry out this function as it is expected to do. The LVCS focus on the individual student and responses suggest the current operating profile is somewhat positive and engaging parents and staff to support and makes available student support services as needed. ***Recommend the LVCS conduct a internal quality review of special education and support services program to determine if it is operating effectively; not necessarily measured solely by "the letter of the law," but for the benefit of the student.***

## **Business Services Management**

Finance in LVCS's system is defined as the securing and maximizing the use of resources. Budgeting is managing those resources through strategic planning aligned with the LVCS's vision, mission, goals, and objectives. The BPA attempted to discover to what extent these definitions apply and determine if the internal controls that make for a transparent and credible financial and budgetary reporting system the governance leadership relies on for accountable decision-making.

1. The LVCS's finance and accounting function is provided by an outside back-office operation and organized to respond to the demands of the LVCS. However, stresses on the LVCS from peak demand at the beginning of the LVCS year, semester, and fiscal year end may justify a work force analysis. Appropriate job descriptions should include statements about separation of duties for internal control. Staff development is critical for the long-term success of the LVCS as it is responsible for managing and accounting of the resources dedicated to the LVCS's education program and must be equipped to serve as a check and balance for contracted services. ***Recommend continued training and education of the Chief Business Official (CBO) as part of the Staff Development Plan and for other staff hired to support the finance and accounting function. Instruction should include all phases of the operation.***

2. Accounting and bookkeeping procedures flow from LVCS's policies and procedures, external Federal and State accounting agencies, and auditing entities that stress check and balances, internal control, accountability and responsibility, and an ethical work environment. The LVCS should review current policies, procedures, and practices to ensure they are sufficient to bring about these qualities and accountability over contract services. ***Recommend the LVCS continue to collaborate with the LVCS Auditor on financial accounting policies and procedures with recommendations flowing from the review and affirmed by LVCS's Attorney.***

3. The LVCS currently relies on limited staff to perform its accounting, bookkeeping, and reporting functions. A narrative describing significant financial items or changes for the Board's attention and revisions warranting approval should accompany each monthly report. This monthly reporting cycle will keep the Board informed as LVCS's financial condition unfolds throughout the fiscal year. The administration and leadership team are engaged in the management of their budgets. Although the LVCS appears to organize and manage its finances and budgets centrally, it should consider alternatives as the LVCS expands over time. ***Recommend Administration and contractor continue to present reports to the Board of Directors that are meaningful; not overly complex or so simple and lacking analysis that include Budget, Operating Statements showing budget variances and remainder expressed as a percentage, Balance Sheet, and Cash Flow Statements. For budget and interim reports, a multi-year projection should be part of the reporting process.***

4. The LVCS should organize the finance and accounting function to ensure appropriations are managed and controlled with a process for adjustments. Procedures for contract administration should be part of an adopted policy. The administration informs the

Board of Directors about major outlays that affect budget balances and cash flows. ***Recommend policies for purchasing, contracts, and budget appropriation authority.***

5. The respondents indicate internal controls exist for revenue and expenditure transaction, tax filing, and other obligations of the LVCS according to Generally Accepted Accounting Principles (GAAP), the State's Accounting Manual, and the IRS. The LVCS's Auditor issues opinions about internal control and alert the LVCS about infractions reported in the audit as exceptions that must be remedied by the next year's audit. Repeated exceptions are not acceptable to Federal and State agencies empowered to withhold funds if the exceptions are not addressed. ***Recommend LVCS continue its accountable operating practices and procedures enabled through policy.***

6. Reportable, material weaknesses in internal control should be reported and a plan to remedy those weaknesses should be documented, implemented, and reported to the Board after the Audit is completed in December. The administration should present the Audit acceptance at the next regularly scheduled Board meeting Board of Directors review and comment. ***Recommend the CBO present the LVCS's annual Audit Report, with responses to audit exceptions, if any, during the Board meeting.***

7. Budgets are more valuable when they are linked to the strategic planning process where goals and objectives, aligned with the LVCS's vision and mission, can be realized. The budget development process requires an early planning cycle that kicks off as soon as LVCS reconvenes after the Winter break when the Governor releases the State budget in January. From there, the LVCS needs to begin assembling the pieces into a coherent and meaningful document prepared for the Board's adoption before June 30. Adequate time should be allotted to allow Board members the opportunity to review the information presented on State approved forms supplemented with more understandable and meaningful formats. Moreover, the administration should include the School Advisory Council (SAC) and other stakeholders in the budget development process through organized meetings that educate the participants about LVCS budgets so they can actively contribute to the process. ***Recommend the CBO present a Budget Development Calendar and Budget Guidelines for Board approval at the December Board meeting that will describe and initiate the process. A discussion about SAC meetings and its advisory role and stakeholder participation should also be part of the deliberations.***

8. The LVCS is in the process of developing its strategic plan that will chart how measurable goals and objectives are linked to the budget development process. A strategic plan should be developed before the budget development process beginning in January each fiscal year. The strategic plan will describe LVCS's goals and objectives, staff accountable for accomplishment, timelines, and resources to support accomplishment. Once the plan is complete, the budget development process incorporates the goals and objectives through prioritization. Appropriations should align with the strategic plan. ***Recommend integrating and aligning the strategic plans goals and objectives to the Budget resource allocations and annually evaluate the return on investment.***

9. The LVCS complies with State and Sponsor's requirements for annual audits conducted by an Auditor selected from the State approved list of Auditors. ***Recommend***



*periodic review of Auditor's service quality and contracted according to the State's recommended terms and conditions.*

10. The respondents indicate knowledge about the internal audit function in the LVCS. Most small school systems do not have this activity as a separate function and rely on the strength of internal controls and independent auditors to evaluate the finance, budgeting, accounting, and bookkeeping systems. Independent consultants can serve this role equipped to diagnose problem areas in the LVCS usually focused on specific issues, organizational development, and best practices. ***Recommend the Board of Directors continue its support for an Executive Committee that exercises oversight of the auditing process.***

11. The LVCS, in conjunction with the Auditor, issues reports with evaluations of the LVCS's financial condition. The strength of the reporting system is measured by its understandable and meaningful report formats. It is incumbent upon the administration to conduct Board trainings timed to introduce the substance of the reports in a meaningful way as the reporting cycle commences. ***Recommend the CBO conduct a review and presentation during a Board meeting about the link between the Audit process and financial reporting.***

12. For charter schools, cash management is a significant activity making sure enough is in the bank to cover the flows, in and out, from the Federal, State, and local revenue and expenditures. Unlike school districts that have the County treasury available to tap when funds are low, charter schools must rely on banking or other lenders to cover temporary shortfalls when there is not an adequate fund balance. A budget provides a financial picture at the end of the fiscal year and the system provides monthly cash flows. All public agencies require an investment policy that identifies who is responsible for the funds and banking relations that will secure LVCS's principal while maximizing investment interest earnings. The LVCS must also make sure its accounts are insured for the full amount deposited. Banks establish limits beyond which the LVCS risks losing in the event of a crash. ***Recommend the LVCS adopt an Investment policy.***

13. LVCS is making an effort to track its capital assets through an inventory system converted into a database and record keeping. A depreciation schedule has been developed and reported valuations summarized on the balance sheet. LVCS will conduct annual inventory as described in procedures. However, while LVCS has a practice for equipment checkout, there is no written checkout policy when employees require temporary use of LVCS equipment. ***Recommend LVCS develop Inventory and Equipment Checkout policies for Board adoption.***

14. Major capital projects require sufficient assets to cover the outlay in a single fiscal year or over several years. A strategic capital equipment/projects plan is required so the budget can accommodate the expense. Typically, loans are required to fund projects incurring interest costs. ***Recommend the CBO present to the administration and Board of***

***Directors the framework for a Capital Projects Plan triggered by major outlay(s) for review and impact on budgets for the current and subsequent years.***

15. LVCS's investment policy should describe how the LVCS will manage debt. LVCS administration informs the Board of Directors about its debt incurred for operations or capital outlay. A Debt Liquidation Plan should be in place that will inform and support decisions that will protect the LVCS from liabilities that may encroach on assets needed to sustain the LVCS. ***Recommend developing an Investment policy that includes provisions for a Debt Liquidation Plan as appropriate and present to the Board of Directors.***

16. The LVCS has historically been able to secure sufficient financing to meet its operating and capital needs. However, charter schools are faced with higher risk due to fluctuations in enrollment, high fixed costs, and facilities that stress the budget. The LVCS evaluates and has been successful securing funding as needed but must be cautious about incurring too much debt as funding, hinging on enrollment, may not be sufficient to cover the debt. ***Recommend the CBO report on the LVCS's Debt Management procedures and present to the administration and Board of Directors.***

17. LVCS has adequate insurance with limits and deductibles that are manageable and protects LVCS against property and liability losses. Annual review and quotes should be part of LVCS's practices. A process of risk analysis is advisable for existing conditions and property and future acquisitions that may add to the risk pool. ***Recommend LVCS update its LVCS Risk Management Plan annually with the assistance of the insurance provider.***

18. Policies should establish and describe LVCS's risk management program conforming to LVCS's Charter. ***Recommend LVCS review and update risk management policies annually, or as needed, to conform to current operations and comply with the Charter.***

19. The LVCS has adequate insurance to cover its risks but needs to present the insurance program and annual review process to the Board of Directors as an information and discussion item during a Board meeting. The report would include experience, claims, and possible claims, affecting insurance premiums. ***Recommend scheduling the presentation of the insurance program and the annual review process to the Board of Directors.***

20. The LVCS has purchasing practices in place that separate duties, documentation, receiving, inventory control, and distribution with adequate controls. ***Recommend a Purchasing policy adoption and procedures developed and aligned with accounting procedures and practices.***

21. The LVCS has an established policy to manage its inventory. ***Recommend adopting an Inventory policy and procedure that conform to accounting principles and LVCS accounting practices.***

22. The LVCS has a limited warehousing function. ***Recommend the Board of Directors receive a report when LVCS's enrollment and need merits consideration and establishment of a warehousing management system along with budget considerations.***

## Facilities Maintenance

The California Department of Education describes a school facilities program as:

. . . maintaining buildings in a condition adequate to support the education program and keep them reasonably close to their original appearance and quality, adequately equipping the buildings to provide services for which the buildings were planned, and modifying the buildings when necessary to accommodate new technologies in education. The school is responsible to keep facilities in continuous operation and optimum condition through repair, replacement of elements, restoration, renovation, or other necessary maintenance and operations measures.

Facilities maintenance and operations ensures that student housing is conducive to academic performance. Research has shown that when a school facility or learning center is constructed and maintained properly will produce an environment and venues for learning that will attract parents and students. A facility designed for community and Board activities welcomes participation and enhances the school's prospect for success. Moreover, a facilities plan can organize the school with an eye on the future particularly for one that is growing.

1. LVCS relies on volunteers and contract staff services to maintain its facilities. LVCS does not have a Facilities Plan describing the current and future plans for LVCS's student housing needs. The Plan would include the goals and objectives along with purpose and descriptions of existing facilities inventory, including diagrams, space utilization, photos, and plans for future facility development aligned with LVCS's education program and support function needs. Budgets for facilities and acquisition should be clearly outlined and described in the Plan recognizing maintenance and deferred maintenance obligations. ***Recommend LVCS develop a Facilities Plan with the support and advice of a Facilities Development Committee.***

2. Efficiency accountability rests solely on the administration. Local utilities can assist LVCS to evaluate its energy efficiency and recommendations for appliances and systems. ***Recommend LVCS continue annual property suitability appraisals to determine fit to the education program and support functions LVCS operates with an eye to the future especially for energy use and management relying on historical and comparative data.***

3. It is advisable to initiate surveys from staff about the facilities intended to accommodate the education and support functions. Such instruments can be effective ways to develop plans and respond to concerns about facilities and if they are conducive to student learning and staff productivity. The results should be included to the Facilities Plan. ***Recommend the LVCS conduct a staff facilities suitability survey.***

4. The responses indicate a need to review janitorial and maintenance compliance with standards for facilities maintenance. Performance standards and procedures are normally included in the Facilities Plan. They establish the quality criteria for existing and

new facilities. It appears that the administration is responsive to the facilities needs and accommodations for staff, students, parents, and visitors to LVCS. ***Recommend a maintenance services quality review and incorporate the recommendations into its operations.***

5. The respondents agree about the current condition of the facilities that are conducive to student learning. Americans with Disabilities Act (ADA) requirements are an important consideration before leasing or owning property. It is important for the owner of leased property and LVCS determine how they will comply with the law before occupancy. Consulting with State and local planning agencies about compliance is necessary as the LVCS may be obligated for renovation costs unless the owner is willing to absorb the cost and subject to negotiation. ***Recommend the LVCS review the requirements and obligations of SB 1054 adapting the provisions of the California Building Standards Code (CSBC) and enforced by local building enforcement agencies with jurisdiction over the area in which the charter school is located. This provision does not apply to charter schools that are already subject to the requirements of the Field Act. The Field Act governs design, construction, reconstruction, and/or alteration of school buildings for the protection of life and property. LVCS must ensure that current and future buildings conform to SB 1054.***

6. The LVCS has a maintenance and operations function. ***Recommend LVCS conduct periodic evaluation of existing services to employ the most efficient and effective maintenance and operations by either contract or staff support.***

7. The responses suggest knowledge about what is expected from maintenance and operations personnel and able to establish written job descriptions for employees. ***Recommend if the option is exercised, hiring personnel that fulfill the expectations described in the maintenance and operations job descriptions.***

8. The responses indicate a need to survey staff about the responsiveness and satisfaction level for the maintenance and operations services provided by contract and organize a training program for better support. ***Recommend conducting a staff survey.***

9. The Facilities function has a budget from which to respond to the demands of LVCS's education and administration functions. However, the long-term costs and changes in LVCS's program and demographics should be considered in budget development. The strategic planning process should take into account the long-term facilities needs and allocate sufficient resources to implement the plan. ***Recommend LVCS continue budgeting according to the goals and objectives derived from the strategic planning process.***

10. The cost estimates for major maintenance projects reside appropriately in the administration domain. However, the definition of "major" should be understood by the Board and may require Board approval particularly if a project affects the health and safety of students, staff, and visitors. ***Recommend the Board adopt a policy providing administration guidelines on cost estimates and project approval process.***

11. LVCS's Economic Uncertainty Reserve (EUR) could be partially designated for Facilities and Maintenance contingencies although not a State requirement. ***Recommend LVCS develop a risk management plan that includes insurance coverage and deductibles that would determine the appropriate reserve levels if LVCS decides to set-aside a Facilities Maintenance and/or Special Reserve, Capital Projects Fund.***

12. LVCS has purchasing procedures but it is unclear how the administration purchases the highest value merchandise; not necessarily the lowest. Alternatively, clear procedures for replacement due to depreciation, waste, or obsolescence. Not all purchases require a bid. Quotes should be obtained to get the best price and value. Generally, three quotes provide assurance LVCS is practicing its fiduciary responsibility through competitive pricing from vendors. Single quote, proprietary items can be purchased provided no other product or service exists in the market. ***Recommend the administration review, revise the purchasing policy, and conduct a presentation with flow charts describing how the purchasing process flows.***

13. The administration informs the Board about facilities issues through the budget development process relying on staff feedback and budget requests to determine budget allocations. ***Recommend employing surveys to determine services satisfaction levels.***

14. A coordinated preventative maintenance plan will create a proactive management response to maintenance and operations equipment and maintenance needs. Inventory and equipment records should be maintained by the business office to plan replacement in a systematic and orderly way avoiding shocks to the budget. ***Recommend an Inventory and Surplus Property policy that conforms to LVCS practices and the law.***

15. LVCS does not have an existing Energy Management Plan but values the need to save energy. ***Recommend convening an administrative team to plan and implement LVCS's initiative to save energy through the assistance of utilities best equipped to suggest ideas for conservation.***

16. Number 15 repeated.

17. LVCS initiates searches for maintenance and janitorial services at the lowest cost. The quality and methods to evaluate the services are conducted by the administration. ***Recommend administration acquaint the Board of Directors about the process of facility services support.***

18. There is an informal response to maintenance and facilities requests by staff and is responsive. The responses indicate the system could be improved and computerized. ***Recommend LVCS survey staff about service delivery distributed to the staff along with a Board of Directors report.***

19. The LVCS has created a system to prioritize maintenance items that affect the health and safety of staff and students including emergencies. ***Recommend a periodic review of LVCS's ability to respond to facility maintenance emergencies.***

20. LVCS's Disaster Plan includes a formal response and procedure for emergencies. It is important that staff are trained and LVCS conduct drills so they are responsive to emergency events. ***Recommend periodic desk review/drills by the staff. They are a convenient and an acceptable way to keep the staff alert and responsive. Recommend shut off valves, electrical panels, alarms, and other facilities appliances should be mapped and recognizable to staff so they can respond appropriately or call emergency personnel if there are malfunctions. All new employees need training when hired.***

21. LVCS's facilities comply with State and local standards. Changing State and local codes can affect the program so it is incumbent upon the administration to consult the governing building regulations for existing and new facilities before occupying. ***Recommend LVCS continue a periodic review of existing and new facility compliance with current building codes.***

22. The administration and staff are aware of the need to research code restrictions before committing to facilities. Compliance and retrofitting are a matter of negotiation between LVCS and property owner. It is necessary to have a clear understanding before occupying the facilities which party will be obligated for facilities code requirements. Leases should be reviewed by LVCS's Attorney to ensure LVCS's protection and its interest served by the agreements. The Facilities Plan is useful by describing the specifications for the facilities the LVCS requires, guiding future searches and acquisitions. ***Recommend LVCS develop and implement a Facilities Plan with the support and advice of a Facilities Development Committee.***

## **Administrative and Instructional Technology**

Technology has become the backbone to education systems especially charter schools that employ direct instruction and distance learning. It is crucial that the LVCS have a Technology Plan to organize and anticipate future developments in the field and organize resources to support and maintain the technology innovations in administration and instructional technology. The LVCS's Technology Plan includes the following elements as described in the State's Enhancing Education Through Technology (EETT) program:

- Strategies for using technology to improve academic achievement and teacher effectiveness.
- Goals aligned with challenging state standards for using advanced technology to improve student academic achievement.
- Steps the applicant will take to ensure that all students and teachers have increased access to technology and to help ensure that teachers are prepared to integrate technology effectively into curricula and instruction.
- Promotion of curricula and teaching strategies that integrates technology that is based on a review of relevant research and leading to improvements in student academic achievement.
- Ongoing, sustained professional development for teachers, principals, administrators, and LVCS library media personnel to further the effective use of technology in the classroom or library media center.
- A description of the type of costs of technology to be acquired with Ed Tech funds, including provisions for interoperability of components.
- A description of how the applicant will coordinate activities funded through the Ed Tech program with technology-related activities supported with funds from other sources.
- A description of how the applicant will integrate technology into curricula and instruction, and a time line for this integration.
- Innovative delivery strategies – description of how the applicant will encourage the development and use of innovative strategies for the delivery of specialized or rigorous courses and curricula using technology, including distance-learning technologies, particularly in areas that would not otherwise have access to such courses or curricula due to geographical distances or insufficient resources.
- A description of how the applicant will use technology effectively to promote parental involvement and increase communication with parents.
- Collaboration with adult literacy service providers.
- Accountability measures – a description of the process and accountability measures that the applicant will use to evaluate the extent to which activities funded under the program are effective in integrating technology into curricula and instruction, increasing the ability of teachers to teach, and enabling students to reach challenging state academic standards.
- Supporting resources – a description of the supporting resources, such as services, software, other electronically delivered learning materials, and print resources, which will be acquired to ensure successful and effective uses of technology.



1. LVCS's Technology Plan is instrumental to obtain funding through such programs as E-Rate or other related funding sources. LVCS can expect, from whatever funding source, a Technology Plan will be required as a pre-condition to funding. The Technology Plan should be presented to the Board of Directors for approval with a full presentation describing the elements and their applications to LVCS aligned to State standards. ***Recommend LVCS initiate annual updates to its Technology Plan with approval by the Board of Directors, and continue to conduct ongoing Technology Committee meetings to receive input from stakeholders about LVCS's future technology profile.***

2. LVCS acquires technology to meet its needs in a cost-effective manner. An evaluation of the applications and purchase values should be part of the practice. The technology infrastructure is only as good as the proficiency of the user. ***Recommend, before acquiring advanced technology, design and organize an appropriate staff training and development program that is user friendly.***

3. LVCS has conducted both on-site and network training programs. Although, the level of proficiency for both staff and students is open to question. The training program should evolve from the proficiency assessment. The California Technology Assistance Project (CTAP) can assist LVCS with their technology training and development program. CTAP has created a "Levels of Proficiency in Technology Skills" that measures Introductory, Intermediate, and Proficient levels for teachers that can be adapted for students and parents. ***Recommend the LVCS adapt the State's proficiency standards for its training program to determine the skill level for each staff member and student. Parents should also be considered in the assessment.***

4. LVCS appears to require more technology support than current resources allow. An ongoing assessment should be integral to the budget development process fitted within LVCS funding priorities. ***Recommend revising the Technology Plan incorporate current and forecasted needs of a growing LVCS.***

5. LVCS has virus protection for its network and procedures to protect and store data through backup. However, it is unclear as to who has access to the full system, firewalls, and codes. ***Recommend LVCS create redundancy throughout the data processing system and identify who has access and codes at every level.***

6. LVCS has a web site that it uses for communication designed to reach and inform the LVCS community. To determine its usefulness, LVCS should conduct periodic surveys about the medium for communications that will measure effectiveness and interest. ***Recommend LVCS continue to renew the presentation and web page content annually to reinvigorate and enliven its image inviting students within LVCS to participate in its continuing development.***

7. LVCS should review and update its policy to manage the safe, ethical, and appropriate access to the Internet for staff, parents, and students. Procedures and guidelines are in place but require the administration conduct staff development that will inform and

encourage compliance with the current guidelines. LVCS is using filter software but should evaluate the software's effectiveness on an ongoing basis. New software products invariably are introduced to the market that could improve LVCS's network system filtering capability.

***Recommend reviewing the Technology Use policy for currency.***

8. No single person should have control over the access and codes. Moreover, designations should include segregation of duties and validated through the Audit process. LVCS is vulnerable without backup designations in the event a staff member is absent or no longer employed with LVCS. ***Recommend LVCS develop, in conjunction with its Technology Plan, operating procedures that will maintain the integrity of the data processing system that includes maintenance, documentation retention, physical security, emergency response, and disaster preparedness.***

9. Technology user survey results can provide information for how LVCS channels its energy and resources validating current technology or search for other, more appropriate technology focused on improving administration productivity and elevating student achievement. ***Recommend LVCS conduct a user survey to determine satisfaction levels and whenever new applications are introduced.***

## Food Service

According to the State, the food service function “is established to safeguard the health and well-being of students attending LVCS by providing nutritious, reasonably priced, meals contributing to a better understanding of good nutrition, and fostering good eating habits linked to student achievement.” Federal and State mandates challenge food services to fulfill these requirements while maintaining a financially sound program. Reimbursement rates vary for needy students eligible for meal subsidies to ensure meals are available during school breakfast and lunch periods. Those who qualify for free meals generate a higher reimbursement per meal than those who qualify for a reduced-price meal. Reimbursements are critical to food services viability. All funds appropriated to the program are required, by federal regulations, to be used for the benefit of the school nutrition program. Funds are not to be diverted for other purposes but, typically, food services programs encroach on the General Fund as funding is less than operations cost. The State describes an,

Effective school nutrition programs must use all available resources – human, materials, funding, and facilities – to the fullest. Successful programs are organized and managed on sound business principles and provide enjoyable, nutritious meals at reasonable prices. Moreover, successful programs require that the governing board, school administration, and nutrition program director agree on a philosophy. Team members need to understand one another’s organizational and administration needs and processes. School nutrition programs are not to be construed solely as a fiscal entity but as a partner in the school’s education program.

The Best Practices Assessment survey responses reveal LVCS operates a good food services program and respondents generally agree that it supports LVCS’s education services delivery system.

1. The food services program does not have a strategic plan but should be part of the strategic planning process providing clarity about its partnership with LVCS and vision for the future. Informal program goals have been established and should be formally incorporated and updated when the strategic planning process commences. ***Recommend the food services program develop its strategic plan along with LVCS’s.***

2. The food service program appears to be staffed adequately and able to respond to the program’s needs given the scope of operation. The program does not have an organization chart with assignments aligned with job descriptions. ***Recommend conducting a workforce analysis with an eye on the program’s future and capacity to deliver quality services to students.***

3. LVCS enables staff training opportunities to elevate their skills and keep abreast of program regulations. The training menu should be part of the LVCS's staff development plan and the budget should be adequate to support the staff development plan. ***Recommend contacting the County Office of Education and CDE about expanded food services training opportunities updating and designed to elevate staff skill levels through the Staff Development Plan.***

4. LVCS's food services program has operating procedures but should align with LVCS adopted policies recognizing the food service function as an integral part of the school. As part of LVCS's human resource development initiative, the program should include interns and invite volunteers to augment the food services delivery system. Program quality improves from client surveys providing feedback about program service delivery. ***Recommend reviewing food service policies for currency and alignment with procedures. Recommend developing an intern and volunteer program to support food services. Recommend distributing a client survey to organize and implement process improvements from the results.***

5. LVCS's food services program complies with all federal and state regulations, filing reports in a timely manner, and receives reimbursements to support the program's operation. A budget created from the Strategic Plan should frame a clearer fiscal profile for the current and future budget years. ***Recommend the food services program develop its strategic plan along with LVCS's developing budgets derived from the Plan's goals and objectives to minimize or eliminate encroachments enabling the program to accumulate resources for self-sufficiency.***

6. LVCS's food services program maximizes resources despite the resource constraints placed on its service delivery from federal and state regulations. Respondents hint there is a need to survey facilities, storage capacity, and conduct a suitability study incorporated into a facilities plan. ***Recommend incorporating the results from the suitability study into the adopted facilities planning process.***

7. LVCS's food service program may not have comprehensive performance and cost-efficiency measures to evaluate the quality of its service delivery and contractors' performance. ***Recommend implementing the process improvements through action planning contained in this narrative that will establish a performance baseline. Recommend distributing a client survey to receive feedback about food services delivery and contractor performance as measured by generally accepted best practices standards.***

8. The food services program conducts periodic performance reviews but the results are not announced consistently or widely distributed to all stakeholders who could lend support and suggest process improvements for operation efficiency and effectiveness. The program could evolve from a maintenance mode to higher program quality by including stakeholders and emulating peer program models quality elements and adapting process improvements. ***Recommend surveying other school programs and contacting the California Department of Education for ideas to elevate program quality.***

9. LVCS's food services program does not employ effective measures or links the budget to a strategic plan. This circumstance hampers the program's performance diminishing its ability to accumulate capital to support its long-range operational capacity. ***Recommend the food services program develop its strategic plan along with LVCS's creating budgets derived from the plan's goals and objectives to minimize or eliminate encroachments enabling the program to accumulate resources for self-sufficiency.***

10. LVCS's food service program complies with federal and state policies and regulations by following guidelines and recommendations flowing from programmatic reviews and accessible through the State Department of Education Nutrition Services Division. LVCS must ensure that adopted food services policies conform to these regulations and consistent with current operations and established procedures. ***Recommend reviewing LVCS's food service policies for currency and alignment with regulations and procedures.***

11. The respondents acknowledge a value for improved performance but there appears to be a gap between the mode of operation and plans for the future. A strategic planning process incorporating program assessments and evaluations should narrow the gap. Accountability dictates that the program communicate its processes and acknowledge its weaknesses with process improvement recommendations flowing from options the administration and Board of Directors consider for implementation. ***Recommend the food services program develop its strategic plan along with LVCS's communicating more effectively to all stakeholders the plan and process improvements through action planning.***

## Transportation

Home-to-school transportation can be a service that benefits students who need a safe means to get to school and school systems that will retain their enrollment that otherwise may not be possible, particularly in rural settings. The State's policy encourages and supports:

Effective pupil transportation programs must use all available resources – people, vehicles, funding, and facilities – to the fullest. Successful programs are organized and managed on sound business principles and provide safe and timely service at a reasonable cost. In addition, successful programs require that the governing board, the school administration, and the director agree on a philosophy. Team members need to understand one another's organizational and administrative needs and processes. Pupil transportation programs are not to be construed solely as a fiscal entity but a partner in the district's (school system's) educational program.

The challenge is to run a cost effective pupil transportation system within the constraints of budget appropriations that is becoming more challenging to the rider and school system. Best practices enable the school system to remove the impediments to efficient operations that will translate into cost effectiveness.

1. LVCS's home-to-school transportation function links its services to the community it serves. LVCS organizes service delivery around the needs of parents and students and within the bounds of budget resources. An effective pupil transportation system relies on community input for responsiveness and adaptable routing to ensure students arrive on time to school and drop off at stops that are safe and in proximity to their residences. ***Recommend the Administration conduct an information meeting for parents and the Board describing how the transportation function responds to constituents and support role in the education program.***

2. LVCS tracks the number and locations for students using transportation services. California school districts are required to report their ridership numbers to the Department of Education reporting system. Charter schools are not subject to this requirement but LVCS tracks ridership as a matter of best practices for logistics and routing. ***Recommend LVCS consider automating their student location and routing system considering future demographics and learning center locations.***

3. LVCS transportation services are designed to achieve cost-efficient service delivery. LVCS routing practices results in high occupancy and lower cost per mile despite the distances and demands of its rural setting. Walking distances and stops are designated to minimize the hazards and primarily concerned with the student's safety. LVCS consults with the California Highway Patrol for routes and stops. Coordination with school start and dismissal times and bus schedules allow sufficient time for boarding and departures. ***Recommend the LVCS conduct an annual routing survey based on ridership location and***

***logistics to achieve optimum results. The outcome will be a more efficient and effective transportation services delivery system.***

4. LVCS transportation system size allows better communication between the school and parents than a larger, more bureaucratic system. Staffing is adequate to deliver transportation services including substitutes as needed. ***Recommend a staffing review comparing other school transportation systems staffing levels to achieve optimum service delivery and minimize disruptions to pupil transportation.***

5. LVCS maintains transportation vehicles ensuring vehicles are maintained properly and according to maintenance schedules. LVCS seeks the most cost-effective vehicle maintenance available in LVCS service area. ***Recommend LVCS evaluate transportation vehicle maintenance program cost effectiveness annually linked to budget development. Recommend mechanic certification and validation annually.***

6. LVCS is able to hire and retain competent transportation personnel including substitutes who are trained and holding appropriate licenses. LVCS employment practices include screening, physical exams, and selecting drivers and mechanics able to perform their work effectively. LVCS is able to retain employees with low turnover; a positive performance measure. ***Recommend LVCS continue to its hiring practices that appear to work well. Annual personnel reviews provide feedback about performance and suggestions from employees for process improvements that will increase effectiveness. LVCS should consider a cost savings employee incentive program.***

7. LVCS provides driver training that is suited to the driving conditions in LVCS's service area. A perpetual training program ensures drivers and mechanics are kept abreast of changes in the law and regulations requiring their attention. ***Recommend consulting with the Department of Education and other school systems for best practices and training methods.***

8. LVCS requires a vehicle and equipment survey to determine fleet capacity responsive to service levels expected by the ridership. Moreover, LVCS should maintain a vehicle inventory listing all vehicles and depreciation schedule showing replacement timelines. Replacement timelines should be staggered to avoid budget impact. Transportation should be part of the strategic planning process. ***Recommend LVCS establish an inventory and replacement timeline that details the capital investment by fiscal year including additions in response to growth.***

9. LVCS Transportation operates a preventative maintenance program for school vehicles that includes routine service and maintenance of its vehicles with the associated record keeping. Inspections are conducted according to schedule in compliance with California Highway Patrol regulations. Preventative maintenance reduces costly breakdowns and will extend the life of the vehicles. ***Recommend LVCS conduct a Transportation management audit of records annually to ensure the department is complying with the law and LVCS maintenance policies. Automated record keeping eases the process and information retrieval.***

10. LVCS uses cost effective measures for fueling vehicles getting the highest value despite fluctuating petroleum product prices. LVCS fuels vehicles at pump stations that comply with environmental regulations. ***Recommend LVCS consider bidding for fuel and petroleum supplies to obtain the highest value.***

11. LVCS operates a vehicle maintenance shop that is conveniently situated to provide sufficient and secure support for vehicle maintenance and transportation functions. Vehicles are parked in secure locations. ***Recommend LVCS conduct a facilities adequacy study that takes into account growth, logistics, and service area.***

12. LVCS maintains a vehicle equipment and supply inventory to ensure transportation operates without interruption due to inadequate parts inventory. LVCS negotiates the best price from vendors for supplies and equipment. Transportation maintains an adequate inventory of supplies and equipment so as to maximize items on hand without overstocking. ***Recommend LVCS conduct a review of Transportation inventory practices and documentation in compliance with existing policies and procedures.***

13. LVCS ensures that all regular bus routes and activity trips operate in accordance with established routines and any unexpected contingencies affecting vehicle operations are handled safely and promptly. LVCS has response capability in emergencies. A disaster plan is in place and drills are conducted. ***Recommend LVCS conduct an emergency drill to ensure Transportation is prepared.***

14. LVCS provides efficient transportation services for exceptional students in a coordinated fashion that minimizes hardships to students. Transportation coordinates services with the Administration and parent for exceptional needs students in accordance with Individual Education Plans (IEPs). LVCS makes accommodation for exceptional needs students as needed when LVCS transportation has limitations. ***Recommend LVCS review accommodation policies and procedures for compliance.***

15. LVCS ensures that staff act promptly and appropriately in response to any accidents or breakdowns. LVCS Transportation has developed contingency plans in the event of an accident or breakdowns. LVCS Transportation is equipped with two-way communications. ***Recommend LVCS review its emergency response procedures updating the Disaster Plan as needed. Recommend LVCS conduct a drill to test its communication system a scenario in the event the existing system breaks down requiring an alternative.***

16. LVCS ensures that appropriate student behavior is maintained on the bus with students being held accountable for financial consequences of misbehavior related to transportation. ***Recommend Transportation staff and Administration review existing student disciplinary policies and procedures for currency.***

17. LVCS does not currently have the appropriate technological and computer support for transportation functions and operations. ***Recommend LVCS conduct a capacity survey and develop a strategic plan to address Transportation's technology applications needs.***



18. LVCS transportation staff in consultation with the Administration monitor the fiscal condition of transportation functions by regularly analyzing expenditures and reviewing them against the budget. ***Recommend Transportation staff and Administration review existing accounting and budget reporting to determine if reports and transactions are meaningfully presented for effective management of budgets and decision-making.***

19. The charter school has reviewed the prospect for privatizing transportation functions, as a whole or in part. As a best practice, school systems should always evaluate their transportation function and service quality. Quality that can be obtained from the existing resources to operate an effective transportation system given the service area limitations. ***Recommend a program quality review by survey and comparing Transportation to other exemplar school systems.***

20. The charter school has an accountability system for transportation and should make reports on its performance in comparison with established benchmarks. Benchmarks are important metrics to measure performance with other transportation systems. ***Recommend Transportation seek benchmark examples for process improvements from other similar school systems and CDE.***

### **RECOMMENDATIONS LISTING & ACTION PLAN**

**Team Member 1: Cindy Henry**

**Team Member 2: LT**

**Team Member 3: Consultant; Committee**

**Team Member 4:**

**Team Member 5:**

#### **Performance:**

1. *Recommend adopting a policy that affirms a broad based strategic and action planning process enabling the governance leadership to build a sustainable charter school education system. Such a policy will engage the Board of Directors and welcome stakeholders to participate in the process accountable for results in all operational areas.*
2. *Recommend the administration continue improving its student achievement profile, information system, and evaluate the assessment program to determine correlation with the State standardized testing system. Periodic reports, supplemented in writing, to the Board, tracking student assessment results longitudinally, including disaggregated data for student populations, and are beneficial. Encourage LVCS calculate its RoI.*
3. *Recommend LVCS continue stakeholder outreach and inclusion efforts that will support and help define LVCS's future direction and evolution in collaboration with the Board of Directors.*
4. *Recommend LVCS develop a Business Plan and conduct a quality review and effectiveness through an advisor or banker seeking the answer to the question, "is LVCS investment worthy?"*

#### **Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>1</u>	<u>Cindy</u>	<u>Get policy</u>	<u>January 2012</u>	<u>Time</u>
#2	<u>3</u>	<u>LT</u>	<u>Track student achievement</u>	<u>Quarterly</u>	<u>Time</u>
#3	<u>3</u>	<u>Cindy</u>	<u>Convene meetings</u>	<u>Monthly</u>	<u>Time, SAC</u>

#4	<u>3</u>	<u>Dr. Guthrie;</u> <u>Stakeholder</u> <u>Committee</u>	<u>Provide the plan</u> <u>template</u>	<u>June 2012</u>	<u>Volunteers;</u> <u>Travel</u> <u>time</u>
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**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Governance:**

1. *Recommend Board review their Uniform Complaint policy and procedure for currency. Recommend the Board continue to support a governance leadership self-evaluation process that is timely and administered consistently to obtain feedback about its performance. A conforming policy and procedure with evaluation instrument exhibits should be adopted.*
2. *Recommend agenda planning meetings with the Board President and School Director at least one week prior to the meeting date to allow staff sufficient time to assemble and distribute the packet to the Board that is a good practice. Recommend the School Director adopt a Records Retention policy for how LVCS retains the Corporation and Board meeting documents such as meeting minutes, resolutions, and archival materials in a safe and fireproof depository.*
3. *Recommend LVCS review its policy inventory to ensure that LVCS has all relevant and applicable policies. Moreover, ensure policies are compatible and organized to support, not interfere with, LVCS's administration and operations respecting the distinctions between the Board and administration domains. Recommend LVCS policies review for Incorporation Documents, Bylaws, Charter (Element #4), and Memorandum of Understanding for consistency.*
4. *Recommend LVCS conduct a periodic review of the Attorney's service quality and performance and survey legal costs from other charter schools to determine if the LVCS is receiving the highest value for services rendered. Recommend Attorney policy including access process and procedure.*
5. *Recommend LVCS review the Organization Chart for currency, anticipating organization changes, determine organization "fit" to avert the tendency for bureaucracies to expand as organizations grow adding functions and staff that potentially could create overlapping layers, increasing transaction costs without consideration of the overall impact on organization effectiveness, potential for conflict of interests, and nepotism. Recommend posting the organization chart on LVCS's web site and distribute to stakeholders as an information item.*
6. *Recommend the LVCS conduct periodic and systematic surveys that will reveal other schools' staffing levels for comparative analysis and recommendations for change or validating current workforce, impact on operations, and budget resources available for a growing school.*
7. *Recommend reports include Budget with Variances, Balance Sheet, Cash Flow, and Statement of Changes and Operating Position with narratives. Budget trending and long-term commitments presented to determine if LVCS is within its spending targets, cash flows, and has adequate resources to support its long-term commitments. Recommend Board training to include school and non-profit fund accounting. It is*

*important that accountability systems be in place through policy and procedures ensuring LVCS complies through internal audits. LVCS's Auditor or consultant can provide guidance for this effort.*

8. *Recommend the administration review and develop an evaluation process, systems of accountability, and policy and procedures collaboratively with the Board having surveyed other school systems or expert consultation for process improvements.*
9. *Recommend the LVCS organize a multi-year Strategic Planning process to include Action Planning with measurable objectives and timelines. Recommend adopting a Strategic Planning policy to promote and support strategic planning, action planning, implementation, and program evaluation and assessment as an ongoing process. Stakeholder roles should be recognized, encouraged, and an organization structure designed for the free flow of information, i.e., committees.*
10. *Recommend LVCS continue developing projections that rely on historical data while tracking changes in enrolled students demographically factoring changes to the education program that may affect parent and student interests and choice. The budget has sufficient reserves that match the inherent enrollment projection risks based on a 3% average. Note: charter schools are not required to maintain an Economic Uncertainty Reserve (EUR).*
11. *Recommend incorporating an evaluation and assessment process aligned with the strategic plan budget development and implementation process.*
12. *Recommend the administration and Board receive periodic reports about LVCS's grants and results from the grant awards. LVCS has relied on staff and volunteers in the past and should consider employing a grant writer that could expand the opportunities beyond LVCS's limited resources devoted to resource mining.*
13. *Recommend LVCS review the current public information methods to determine effectiveness for inclusion and outreach to other potential stakeholders. Communications in school systems are inherently imperfect and advisable to explore perpetually different means or media to communicate more effectively especially as technology advances. Recommend using Survey Monkey to reach and achieve a higher survey response rate.*
14. *Recommend the LVCS strategize on how best to engage and expand partnerships including inviting partners to fill vacant Board and Council seats.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>3</u>	<u>Board</u>	<u>Annual review</u>	<u>Annually;</u> <u>Spring 2012</u>	<u>Time</u>
#2	<u>2</u>	<u>Ed Director</u>	<u>Archival of records</u>	<u>Aug 2012</u>	<u>Time, cost of</u> <u>safe</u>
#3	<u>2+</u>	<u>Board, Admin,</u> <u>AC</u>	<u>Documents Review</u>	<u>Aug 2012</u>	<u>Time</u>
#4	<u>3</u>	<u>Board and Ed</u> <u>Director</u>	<u>Services review</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time and</u> <u>attorney costs</u>

#5	<u>3</u>	<u>Board, Adv Co, Admin</u>	<u>Review Organization Chart</u>	<u>Aug 2013</u>	<u>Time</u>
<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#6	<u>2</u>	<u>Ed Director, Board, Fiscal Consultants</u>	<u>Review</u>	<u>June 2012</u>	<u>Time</u>
#7	<u>3</u>	<u>CSMC</u>	<u>Report</u>	<u>June 2012</u>	<u>Contract Rate</u>
#8	<u>2</u>	<u>Board, LT</u>	<u>Conduct an evaluation instruments review</u>	<u>March 2013</u>	<u>Time</u>
#9	<u>1</u>	<u>Board, LT, Dr. Guthrie</u>	<u>Develop strategic plan and process</u>	<u>January 2012</u>	<u>Consult fee; Time</u>
#10	<u>2</u>	<u>LT</u>	<u>Pull data and look for trends</u>	<u>June 2012</u>	<u>Time</u>
#11	<u>1</u>	<u>CSMC</u>	<u>Review strategic plan for budget impact/development</u>	<u>February 2012</u>	<u>Time</u>
#12	<u>2</u>	<u>Cindy</u>	<u>Add grant item to financial report</u>	<u>As needed</u>	<u>Time</u>
#13	<u>2</u>	<u>LT</u>	<u>Review outreach methods</u>	<u>July 2012</u>	<u>Time</u>
#14	<u>3</u>	<u>Board, LT</u>	<u>Review engagement activities</u>	<u>June 2013</u>	<u>Time</u>

**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Human Resources:**

1. *Recommend posting open position announcements on LVCS's web site. Recommend an internal review of current practices for legal compliance and promoting applicant processes that are more effective.*
2. *Recommend HR develop a survey to determine satisfaction levels for their services, response to staff needs, and measuring overall morale. Recommend an internal quality review or consultation for handbook to update and revise as necessary.*
3. *Recommend the administration update the Staff Development Plan that includes examples of topics for meetings, approved sessions for staff development, and meeting schedules on a master calendar distributed to staff and published on the web site. The administration should alter the Staff Development Plan accordingly. The LVCS should access annually COE's training list and schedule. Staff development should be aligned to the individual employee's professional development plan and recognized through the evaluation process linked to each individual's performance. An ad hoc committee should be formed with staff members, including classified staff, to help design the Staff Development Plan that will maximize their interest and elevate their job skills benefiting LVCS. The budget should reflect a commitment to support the Staff Development Plan. Moreover, a Staff Development policy should encourage staff development including support continuing education and certifications.*
4. *Recommend a tracking system for the evaluation cycle and assign personnel to monitor the process from evaluation distribution, evaluation appointments, to documentation with signatures from the supervisor and employee retained in updated personnel files.*
5. *Recommend, for dismissal cases, the administration and Board of Directors continue to consult LVCS's Attorney about the most recent rules for the process and following guidelines from policy and the employee handbook.*
6. *Recommend the administration establish a system of accountability through monitoring the reporting activity tracking absenteeism trends and anomalies. While LVCS has limited use of substitutes, it should identify what staff members require substitutes and for extended periods when work needs to be done. Recommend substitutes receive an orientation before reporting for work.*
7. *Recommend an internal review or through consultation a check on HR files for completeness and legal compliance and advice about file system and retention.*
8. *Recommend updating the Staff Development Plan for current issues regarding Health and Safety that will support LVCS's emphasis on safety and support its continued success with injury prevention with the assistance from an HR consultant and Workers Compensation insurance agent.*

9. *Recommend the administration present health and benefit plan renewals at a Board meeting. Recommend the LVCS consult their Auditor about GASB 45 before considering alternate retirement plans.*
10. *Recommend the LVCS conduct a work force analysis for HR in light of NCLB requirements and LVCS's staffing levels. Recommend an internal review and conduct a position control survey of other charter schools to determine wage and salary rates and compare job descriptions to discover disparities in LVCS's staffing allocations.*
11. *Recommend LVCS continue its successful health and safety program and keep abreast of ways to improve the risk management program.*
12. *Recommend LVCS continue operating the payroll system that is currently employed and working in a satisfactory manner.*
13. *Recommend policy review and adoption, i.e. "Whistle Blower", and annual policy and incident reviews for revisions and process improvements.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>2</u>	<u>Cindy/Sherri</u>	<u>Review applicant process and policies, revising for Board adoption</u>	<u>August 2012</u>	<u>Time</u>
#2	<u>3</u>	<u>Cindy</u>	<u>Review survey</u>	<u>Annually</u>	<u>Time</u>
#3	<u>1</u>	<u>Cindy</u>	<u>Create a plan that includes dates, topics, and post to website</u>	<u>January 2012</u>	<u>Time</u>
#4	<u>1</u>	<u>LT</u>	<u>Create tracking system and process</u>	<u>Initially before March 1<sup>st</sup>, then Annually</u>	<u>Time</u>
#5	<u>3</u>	<u>Cindy</u>	<u>Consult attorney</u>	<u>As needed</u>	<u>Attorney fees</u>
#6	<u>2</u>	<u>Bonnie/Cindy</u>	<u>Train Bonnie on tracking absence, create substitute orientation binder</u>	<u>August 2012</u>	<u>Time</u>
#7	<u>1</u>	<u>Cindy, LCOE</u>	<u>Review files for compliance</u>	<u>June 1<sup>st</sup>, 2012</u>	<u>Less than \$1,000</u>
#8	<u>3</u>	<u>Cindy</u>	<u>Make sure that all trainings occur that LCOE provides</u>	<u>Annually in August</u>	<u>None</u>
#9	<u>2</u>	<u>CSMC</u>	<u>Compare plans and present to Board for action</u>	<u>December 2012</u>	<u>None</u>
#10	<u>2</u>	<u>Cindy</u>	<u>Conduct a work force analysis</u>	<u>August 2012</u>	<u>Time</u>
#11	<u>3</u>	<u>Cindy</u>	<u>Present LCOE materials</u>	<u>Annually in August</u>	<u>Time</u>



#12	<u>3</u>	<u>Cindy</u>	<u>Monitor efficiency of payroll service</u>	<u>Monthly</u>	<u>Time</u>
#13	<u>1</u>	<u>LT</u>	<u>Review and prepare for Board adoption</u>	<u>June 1<sup>st</sup>, 2012</u>	<u>Time</u>

**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Education Service Delivery:**

1. *Recommend LVCS periodically present to the Board of Directors and LVCS community the student assessment program results in a meaningful way depicted in graphic form. Consider transferring processes and innovative practices that would be valuable for other school systems.*
2. *Recommend the LVCS host training sessions facilitated by administration and LCOE Special Education representatives. Staff continue to identify exceptional students to ensure their needs are met, as well as, through curricula, instruction, and assessment. Recommend LVCS review special education program staff development program for effectiveness.*
3. *Recommend the LVCS continue its efforts to identify and support individual student learning plans relying on its student information system. Recommend coordination between attendance and accounting departments when reporting student numbers and demographic profile monthly to identify students who may need additional instructional support. Recommend LVCS review ELL staff development program for effectiveness.*
4. *Recommend refining the student database so it can identify students who might be eligible for gifted placement opportunities. Recommend conducting an LVCS accelerated program presentation describing the content and pedagogy to the Board and staff. Staff development should be employed for effective program delivery.*
5. *Recommend LVCS develop a database for students who want to pursue work experience and designate staff to pursue the best opportunity that aligns with the student's interests and aptitude.*
6. *Recommend the administration assemble a team of expert staff to conduct internal program evaluation process including a review of the SAC composition and adherence to Open Meetings Act as it is a "standing" committee. Goals, objectives, and measures of effectiveness should be established to determine the Return on Investment (RoI) and reviewed during the annual budget development process. The Strategic Planning process should align with the education planning process outcomes.*
7. *Recommend the LVCS continue to refine, organize, and convene periodic inter grade level staff meetings tracking student matriculation. Retention data analysis should be part of the process.*

8. *Recommend an annual review and evaluation of the current system with a work force analysis including ratios and effectiveness measures as part of the budget development process. Recommend the LVCS continue its comparisons and best practices research efforts obtained from other charter school systems and resource networks. Recommend the LVCS document and publish the results and reporting to staff and the Board of Directors. Typically, such results will create efficiencies the organization can employ to benefit the LVCS. Incentives for cost savings measures should be considered by the LVCS but are not necessarily monetary.*
9. *Recommend the administration conduct an inventory of its textbooks and implement adoptions according to the cycle recommended by the State of California. Recommend assembling an ad hoc committee composed of staff, parents, and community to review and recommend appropriate textbooks and instructional materials that will fulfill State mandates and aligned with the LVCS's education program curricula. Recommend adopting a policy supporting this effort. Moreover, an inventory policy and procedures to guide the textbook and instructional materials disposition and disposal process.*
10. *Recommend relying on periodic user surveys that can reveal ways to improve service delivery. Recommend including and develop a funding strategy for a library/media center in LVCS's Facilities and Technology Plans.*
11. *Recommend the LVCS conduct periodic user surveys targeted to discover satisfaction with the training and applicability of the learning software used by the LVCS prescribed in the Technology Plan. Staff development is the most significant ingredient and indicator of a successful technology integrated instruction program.*
12. *Recommend the LVCS conduct a internal quality review of special education and support services program to determine if it is operating effectively; not necessarily measured solely by "the letter of the law," but for the benefit of the student.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>1</u>	<u>Admin</u>	<u>Report</u>	<u>Board meetings</u>	<u>Time</u>
#2	<u>1</u>	<u>Admin</u>	<u>Training</u>	<u>August 2012</u>	<u>Time</u>
#3	<u>1</u>	<u>Admin, Adv Com</u>	<u>Reviews</u>	<u>December 2011, March 2012</u>	<u>Time</u>
#4	<u>3</u>	<u>LT</u>	<u>Review gifted opportunities</u>	<u>June 2013</u>	<u>Time</u>
#5	<u>3</u>	<u>Emily</u>	<u>Investigate work experience relationships</u>	<u>June 2013</u>	<u>Time</u>
#6	<u>2</u>	<u>LT</u>	<u>Periodically review minutes/actions of SAC</u>	<u>June 2012</u>	<u>Time</u>
#7	<u>3</u>	<u>All staff</u>	<u>Monthly collaboration time for inter-grade levels</u>	<u>Monthly; Continuous</u>	<u>Time</u>

#8	<u>2</u>	<u>LT</u>	<u>Research staffing ratios and best practices as part of budget development</u>	<u>June 2012</u>	<u>Time</u>
<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#9	<u>1</u>	<u>Cindy</u>	<u>Convene an ad hoc committee and research inventory systems; get policy from Dr. Guthrie</u>	<u>June 2012</u>	<u>\$5,000</u>
#10	<u>1</u>	<u>LT and SAC</u>	<u>Develop and administer surveys</u>	<u>April 2012</u>	<u>Time</u>
#11	<u>1</u>	<u>LT and SAC</u>	<u>Develop and administer surveys</u>	<u>April 2012</u>	<u>Time</u>
#12	<u>1</u>	<u>LT</u>	<u>Review effectiveness of contracts, including SELPA services</u>	<u>June 2012</u>	<u>Time</u>
#13	<u>1</u>	<u>Admin; Committee</u>	<u>WASC Process</u>	<u>June, 2012</u>	<u>Time</u>
#14	<u>1</u>	<u>Board; Admin; Stakeholders</u>	<u>Charter School Contingency Plans and explore options in response to CDE decision</u>	<u>January/February</u>	<u>Time</u>

**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Business Services Management:**

1. *Recommend continued training and education of the Chief Business Official (CBO) as part of the Staff Development Plan and for other staff hired to support the finance and accounting function. Instruction should include all phases of the operation.*
2. *Recommend the LVCS continue to collaborate with the LVCS Auditor on financial accounting policies and procedures with recommendations flowing from the review and affirmed by LVCS's Attorney.*
3. *Recommend Administration and contractor continue to present reports to the Board of Directors that are meaningful; not overly complex or so simple and lacking analysis that include Budget, Operating Statements showing budget variances and remainder expressed as a percentage, Balance Sheet, and Cash Flow Statements. For budget and interim reports, a multi-year projection should be part of the reporting process.*
4. *Recommend policies for purchasing, contracts, and budget appropriation authority.*
5. *Recommend LVCS continue its accountable operating practices and procedures enabled through policy.*
6. *Recommend the CBO present the LVCS's annual Audit Report, with responses to audit exceptions, if any, during the Board meeting.*
7. *Recommend the CBO present a Budget Development Calendar and Budget Guidelines for Board approval at the December Board meeting that will describe and initiate the process. A discussion about SAC meetings and its advisory role and stakeholder participation should also be part of the deliberations.*
8. *Recommend integrating and aligning the strategic plans goals and objectives to the Budget resource allocations and annually evaluate the return on investment.*
9. *Recommend periodic review of Auditor's service quality and contracted according to the State's recommended terms and conditions.*
10. *Recommend the Board of Directors continue its support for an Executive Committee that exercises oversight of the auditing process.*
11. *Recommend the CBO conduct a review and presentation during a Board meeting about the link between the Audit process and financial reporting.*
12. *Recommend the LVCS adopt an Investment policy.*
13. *Recommend LVCS develop Inventory and Equipment Checkout policies for Board adoption.*
14. *Recommend the CBO present to the administration and Board of Directors the framework for a Capital Projects Plan triggered by major outlay(s) for review and impact on budgets for the current and subsequent years.*
15. *Recommend developing an Investment policy that includes provisions for a Debt Liquidation Plan as appropriate and present to the Board of Directors.*

16. *Recommend the CBO report on the LVCS's Debt Management procedures and present to the administration and Board of Directors.*
17. *Recommend LVCS update its LVCS Risk Management Plan annually with the assistance of the insurance provider.*
18. *Recommend LVCS review and update risk management policies annually, or as needed, to conform to current operations and comply with the Charter.*
19. *Recommend scheduling the presentation of the insurance program and the annual review process to the Board of Directors.*
20. *Recommend a Purchasing policy adoption and procedures developed and aligned with accounting procedures and practices.*
21. *Recommend adopting an Inventory policy and procedure that conform to accounting principles and LVCS accounting practices.*
22. *Recommend the Board of Directors receive a report when LVCS's enrollment and need merits consideration and establishment of a warehousing management system along with budget considerations.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>2</u>	<u>Cindy</u>	<u>Receive training through CSDC and/or CSMC</u>	<u>Summer 2012</u>	<u>Conference Fee</u>
#2	<u>3</u>	<u>Cindy/Scott</u>	<u>Confer with Auditor</u>	<u>Continual</u>	<u>Time</u>
#3	<u>2</u>	<u>Cindy/Scott</u>	<u>Pull and present reports</u>	<u>Continual</u>	<u>Time</u>
#4	<u>3</u>	<u>Cindy.Scott</u>	<u>Pull policies and update with Dr. Guthrie's help</u>	<u>August 2012</u>	<u>Time</u>
#5	<u>3</u>	<u>Cindy/Scott</u>	<u>Continue following set policies</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#6	<u>3</u>	<u>Cindy</u>	<u>Present audit findings at December Board meeting</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#7	<u>2</u>	<u>Scott</u>	<u>Develop a budget development Calendar and Guidelines</u>	<u>January, 2012</u>	<u>Time</u>
#8	<u>1</u>	<u>LT</u>	<u>Implement the strategic plan as designed and prioritized</u>	<u>Annually by priority</u>	<u>Time</u>
#9	<u>3</u>	<u>Scott</u>	<u>Review Auditing firm services quality</u>	<u>June 2013</u>	<u>Time</u>
#10	<u>3</u>	<u>Board</u>	<u>Continue support of audit process</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#11	<u>2</u>	<u>Scott</u>	<u>Document link and present to Board</u>	<u>August 2012</u>	<u>Time</u>
#12	<u>3</u>	<u>LT/Board</u>	<u>Develop a policy in consultation with Dr. Guthrie</u>	<u>December 2013</u>	<u>Time</u>

#13	<u>1</u>	<u>LT/Board</u>	<u>Create and adopt policy</u>	<u>August 1, 2012</u>	<u>Unknown</u>
#14	<u>3</u>	<u>Scott</u>	<u>Present information</u>	<u>December 2013</u>	<u>Time</u>
#15	<u>3</u>	<u>See # 12</u>			
<u>Task</u>	<u>Priority</u>	<u>Who</u>	<u>What</u>	<u>When</u>	<u>Budget</u>
#16	<u>2</u>	<u>Scott</u>	<u>Report on debt management procedures</u>	<u>June 2013</u>	<u>Time</u>
#17	<u>3</u>	<u>LT</u>	<u>Continue updating as needed</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#18	<u>3</u>	<u>See #17</u>			
#19	<u>2</u>	<u>Sherri</u>	<u>Present information to Board</u>	<u>August 2012</u>	<u>Time</u>
#20	<u>1</u>	<u>LT/Board</u>	<u>Create and adopt policy</u>	<u>June 30<sup>th</sup>, 2012</u>	<u>Time</u>
#21	<u>1</u>	<u>LT/Board</u>	<u>Create and adopt policy</u>	<u>June 30<sup>th</sup>, 2012</u>	<u>Time</u>
#22	<u>2</u>	<u>LT</u>	<u>Report to board as needed</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>

**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Administrative and Instructional Technology:**

1. *Recommend LVCS initiate annual updates to its Technology Plan with approval by the Board of Directors, and continue to conduct ongoing Technology Committee meetings to receive input from stakeholders about LVCS's future technology profile.*
2. *Recommend, before acquiring advanced technology, design and organize an appropriate staff training and development program that is user friendly.*
3. *Recommend the LVCS adapt the State's proficiency standards for its training program to determine the skill level for each staff member and student. Parents should also be considered in the assessment.*
4. *Recommend revising the Technology Plan incorporate current and forecasted needs of a growing LVCS.*
5. *Recommend LVCS create redundancy throughout the data processing system and identify who has access and codes at every level.*
6. *Recommend LVCS continue to renew the presentation and web page content annually to reinvigorate and enliven its image inviting students within LVCS to participate in its continuing development.*
7. *Recommend reviewing the Technology Use policy for currency.*
8. *Recommend LVCS develop, in conjunction with its Technology Plan, operating procedures that will maintain the integrity of the data processing system that includes maintenance, documentation retention, physical security, emergency response, and disaster preparedness.*
9. *Recommend LVCS conduct a user survey to determine satisfaction levels and whenever new applications are introduced.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>1</u>	<u>Cindy</u>	<u>Send letter asking parents to be a part of committee to update; convene committee to update plan</u>	<u>March 2012</u>	<u>Time</u>
#2	<u>2</u>	<u>John/Jeff</u>	<u>Develop staff development plan and schedule</u>	<u>Before As purchases are made</u>	<u>Time</u>
#3	<u>1</u>	<u>LT</u>	<u>Administer CTAP technology assessment to staff, students, and parents</u>	<u>June 2012</u>	<u>Time</u>

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#4	<u>1</u>	<u>Adv Com,</u> <u>Admin,</u> <u>Tech</u>	<u>Tech Plan</u>	<u>Aug 2012</u>	<u>Time;</u> <u>Consultant</u> <u>Fee</u>
#5	<u>1</u>	<u>Admin</u>	<u>Code/password protocol</u>	<u>January</u> <u>2012</u>	<u>Time</u>
#6	<u>2</u>	<u>Sherri</u>	<u>Update web page</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#7	<u>3</u>	<u>LT</u>	<u>Utilize CTAP</u> <u>recommended policy for</u> <u>currency</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#8	<u>1</u>	<u>Tech,</u> <u>Admin,</u> <u>Board</u>	<u>Develop procedures</u>	<u>August,</u> <u>2012</u>	<u>Consultant</u> <u>Fee</u>
#9	<u>2</u>	<u>Tech,</u> <u>Admin,</u> <u>Staff</u>	<u>Tech survey</u>	<u>Spring 2012</u>	<u>Time</u>



**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Facilities Maintenance:**

1. *Recommend LVCS develop a Facilities Plan with the support and advice of a Facilities Development Committee.*
2. *Recommend LVCS continue annual property suitability appraisals to determine fit to the education program and support functions LVCS operates with an eye to the future especially for energy use and management relying on historical and comparative data.*
3. *Recommend the LVCS conduct a staff facilities suitability survey.*
4. *Recommend a maintenance services quality review and incorporate the recommendations into its operations.*
5. *Recommend the LVCS review the requirements and obligations of SB 1054 adapting the provisions of the California Building Standards Code (CSBC) and enforced by local building enforcement agencies with jurisdiction over the area in which the charter school is located. This provision does not apply to charter schools that are already subject to the requirements of the Field Act. The Field Act governs design, construction, reconstruction, and/or alteration of school buildings for the protection of life and property. LVCS must ensure that current and future buildings conform to SB 1054.*
6. *Recommend LVCS conduct periodic evaluation of existing services to employ the most efficient and effective maintenance and operations by either contract or staff support.*
7. *Recommend if the option is exercised, hiring personnel that fulfill the expectations described in the maintenance and operations job descriptions.*
8. *Recommend conducting a staff survey.*
9. *Recommend LVCS continue budgeting according to the goals and objectives derived from the strategic planning process.*
10. *Recommend the Board adopt a policy providing administration guidelines on cost estimates and project approval process.*
11. *Recommend LVCS develop a risk management plan that includes insurance coverage and deductibles that would determine the appropriate reserve levels if LVCS decides to set-aside a Facilities Maintenance and/or Special Reserve, Capital Projects Fund.*
12. *Recommend the administration review, revise the purchasing policy, and conduct a presentation with flow charts describing how the purchasing process flows.*
13. *Recommend employing surveys to determine services satisfaction levels.*
14. *Recommend an Inventory and Surplus Property policy that conforms to LVCS practices and the law.*
15. *Recommend convening an administrative team to plan and implement LVCS's initiative to save energy through the assistance of utilities best equipped to suggest ideas for conservation.*
16. *Number 15 repeated.*

17. *Recommend administration acquaint the Board of Directors about the process of facility services support.*
18. *Recommend LVCS survey staff about service delivery distributed to the staff along with a Board of Directors report.*
19. *Recommend a periodic review of LVCS's ability to respond to facility maintenance emergencies.*
20. *Recommend periodic desk review/drills by the staff. They are a convenient and an acceptable way to keep the staff alert and responsive. Recommend shut off valves, electrical panels, alarms, and other facilities appliances should be mapped and recognizable to staff so they can respond appropriately or call emergency personnel if there are malfunctions. All new employees need training when hired.*
21. *Recommend LVCS continue a periodic review of existing and new facility compliance with current building codes.*
22. *Recommend LVCS develop and implement a Facilities Plan with the support and advice of a Facilities Development Committee.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>1</u>	<u>Cindy</u>	<u>Convene a facilities development committee to create the policy for approval</u>	<u>June 30, 2012</u>	<u>Time</u>
#2	<u>1</u>	<u>Cindy</u>	<u>Conduct suitability study</u>	<u>June 30, 2012</u>	<u>Time</u>
#3	<u>1</u>	<u>Cindy</u>	<u>Conduct suitability study</u>	<u>June 30, 2012</u>	<u>Time</u>
#4	<u>3</u>	<u>LT</u>	<u>Develop a checklist in conjunction with SAC that selected parents can use to conduct a review of maintenance services</u>	<u>June 2013</u>	<u>Time</u>
#5	<u>3</u>	<u>LT</u>	<u>Does not apply at this time – if plan to build exists, we will revisit</u>		
#6	<u>3</u>	<u>LT</u>	<u>Evaluate staff annually</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#7	<u>3</u>	<u>LT</u>	<u>Evaluate staff annually</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#8	<u>3</u>	<u>LT</u>	<u>Develop maintenance questions in conjunction with SAC</u>	<u>Annually</u>	<u>Time</u>
#9	<u>3</u>	<u>LT</u>	<u>Evaluate ongoing</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#10	<u>3</u>	<u>LT</u>	<u>Continue using current policy practice</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>

#11	<u>3</u>	<u>Sherri</u>	<u>In conjunction with JPA Rep</u>	<u>June 2013</u>	<u>Time</u>
#12	<u>1</u>	<u>Cindy/Scott</u>	<u>Review and revise purchasing policy</u>	<u>May 31, 2012</u>	<u>Time</u>
<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#13	<u>3</u>	<u>LT</u>	<u>See #8</u>		
#14	<u>1</u>	<u>LT</u>	<u>Create a policy for surplus and inventory</u>	<u>June 30, 2012</u>	<u>Time</u>
#15	<u>2</u>	<u>Cindy/Dave</u>	<u>Get policy Dave and present to board for approval</u>	<u>August 2012</u>	<u>Time</u>
#16					
#17	<u>3</u>	<u>LT/Burt</u>	<u>Report outcome of surveys to the board; have Burt give a tour during board meeting</u>	<u>December 2012</u>	<u>Time</u>
#18	<u>2</u>	<u>LT</u>	<u>Staff survey</u>	<u>December 2012</u>	<u>Time</u>
#19	<u>3</u>	<u>LT</u>	<u>Ongoing communication with landlords</u>	<u>Annually;</u> <u>Ongoing</u>	<u>Time</u>
#20	<u>1</u>	<u>LT</u>	<u>Create a schedule for all sites to practice disaster drills</u>	<u>Feb. 1, 2012</u>	<u>Time</u>
#21	<u>2</u>	<u>LT</u>	<u>Survey</u>	<u>Annually;</u> <u>August 2012</u>	<u>Time</u>
#22	<u>1</u>	<u>LT</u>	<u>Implement the policy</u>	<u>August 2012</u>	<u>Time</u>

**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Food Services:**

1. *Recommend the food services program develop its strategic plan along with LVCS's.*
2. *Recommend conducting a workforce analysis with an eye on the program's future and capacity to deliver quality services to students.*
3. *Recommend contacting the County Office of Education and CDE about expanded food services training opportunities updating and designed to elevate staff skill levels through the Staff Development Plan.*
4. *Recommend reviewing food service policies for currency and alignment with procedures. Recommend developing an intern and volunteer program to support food services. Recommend distributing a client survey to organize and implement process improvements from the results.*
5. *Recommend the food services program develop its strategic plan along with LVCS's developing budgets derived from the Plan's goals and objectives to minimize or eliminate encroachments enabling the program to accumulate resources for self-sufficiency.*
6. *Recommend incorporating the results from the suitability study into the adopted facilities planning process.*
7. *Recommend implementing the process improvements through action planning contained in this narrative that will establish a performance baseline. Recommend distributing a client survey to receive feedback about food services delivery and contractor performance as measured by generally accepted best practices standards.*
8. *Recommend surveying other school programs and contacting the California Department of Education for ideas to elevate program quality.*
9. *Recommend the food services program develop its strategic plan along with LVCS's creating budgets derived from the plan's goals and objectives to minimize or eliminate encroachments enabling the program to accumulate resources for self-sufficiency.*
10. *Recommend reviewing LVCS's food service policies for currency and alignment with regulations and procedures.*
11. *Recommend the food services program develop its strategic plan along with LVCS's communicating more effectively to all stakeholders the plan and process improvements through action planning.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>1</u>	<u>Cindy/Ann</u>	<u>Develop a strategic plan</u>	<u>August 1, 2012</u>	<u>Time</u>
#2	<u>3</u>	<u>Cindy/Ann</u>	<u>Develop survey for staff,</u>	<u>August 1, 2012</u>	<u>Time</u>

			<i><u>parents, students</u></i>		
<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#3	<u>3</u>	<u>Cindy/Ann</u>	<u>Contact LCOE</u>	<u>August, 2013</u>	<u>Time</u>
#4	<u>1</u>	<u>Cindy/Ann</u>	<u>Develop policies</u>	<u>August 1, 2012</u>	<u>Time</u>
#5	<u>1</u>	<u>Cindy/Ann</u>	<u>Develop strategic plan</u>	<u>August 1, 2012</u>	<u>Time</u>
#6	<u>3</u>	<u>Cindy/Ann</u>	<u>Incorporate recommendations</u>	<u>August 1, 2012</u>	<u>Time</u>
#7	<u>2</u>	<u>Cindy/Ann</u>	<u>Develop a survey to distribute</u>	<u>August 1, 2012</u>	<u>Time</u>
#8	<u>3</u>	<u>Cindy/Ann</u>	<u>Continue Rae Lee communications</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#9	<u>1</u>	<u>Cindy/Ann</u>	<u>Develop strategic plan</u>	<u>August 1, 2012</u>	<u>Time</u>
#10	<u>1</u>	<u>Cindy/Ann</u>	<u>Develop strategic plan</u>	<u>August 1, 2012</u>	<u>Time</u>
#11	<u>2</u>	<u>Cindy/Ann</u>	<u>Annual reports to board</u>	<u>Annually; Ongoing</u>	<u>Time</u>

**Team Member 1:**

**Team Member 2:**

**Team Member 3:**

**Team Member 4:**

**Team Member 5:**

**Transportation:**

1. *Recommend the Administration conduct an information meeting for parents and the Board describing how the transportation function responds to constituents and support role in the education program.*
2. *Recommend LVCS consider automating their student location and routing system considering future demographics and learning center locations.*
3. *Recommend the LVCS conduct an annual routing survey based on ridership location and logistics to achieve optimum results. The outcome will be a more efficient and effective transportation services delivery system.*
4. *Recommend a staffing review comparing other school transportation systems staffing levels to achieve optimum service delivery and minimize disruptions to pupil transportation.*
5. *Recommend LVCS evaluate transportation vehicle maintenance program cost effectiveness annually linked to budget development. Recommend mechanic certification and validation annually.*
6. *Recommend LVCS continue to its hiring practices that appear to work well. Annual personnel reviews provide feedback about performance and suggestions from employees for process improvements that will increase effectiveness. LVCS should consider a cost savings employee incentive program.*
7. *Recommend consulting with the Department of Education and other school systems for best practices and training methods.*
8. *Recommend LVCS establish an inventory and replacement timeline that details the capital investment by fiscal year including additions in response to growth.*
9. *Recommend LVCS conduct a Transportation management audit of records annually to ensure the department is complying with the law and LVCS maintenance policies. Automated record keeping eases the process and information retrieval.*
10. *Recommend LVCS consider bidding for fuel and petroleum supplies to obtain the highest value.*
11. *Recommend LVCS conduct a facilities adequacy study that takes into account growth, logistics, and service area.*
12. *Recommend LVCS conduct a review of Transportation inventory practices and documentation in compliance with existing policies and procedures.*
13. *Recommend LVCS conduct an emergency drill to ensure Transportation is prepared.*
14. *Recommend LVCS review accommodation policies and procedures for compliance.*
15. *Recommend LVCS review its emergency response procedures updating the Disaster Plan as needed. Recommend LVCS conduct a drill to test its communication system a scenario in the event the existing system breaks down requiring an alternative.*

16. *Recommend Transportation staff and Administration review existing student disciplinary policies and procedures for currency.*
17. *Recommend LVCS conduct a capacity survey and develop a strategic plan to address Transportation's technology applications needs.*
18. *Recommend Transportation staff and Administration review existing accounting and budget reporting to determine if reports and transactions are meaningfully presented for effective management of budgets and decision-making.*
19. *Recommend a program quality review by survey and comparing Transportation to other exemplar school systems.*
20. *Recommend Transportation seek benchmark examples for process improvements from other similar school systems and CDE.*

**Priority Level: 1-Urgent; 2-Necessary; 3-Pending**

<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#1	<u>2</u>	<u>Bus Driver, Board, Admin</u>	<u>Information presentation</u>	<u>August 2012</u>	<u>Time; Bus Driver rate</u>
#2	<u>2</u>	<u>Bus Driver, Board, Admin</u>	<u>Routing system</u>	<u>August 2012</u>	<u>Time; software; Bus Driver rate</u>
#3	<u>3</u>	<u>See #2</u>	<u>Routing Review</u>	<u>August 2012</u>	
#4	<u>2</u>	<u>See #2</u>	<u>Transportation Review</u>	<u>August 2012</u>	<u>Bus Driver time; Time</u>
#5	<u>2</u>	<u>Admin, Board</u>	<u>Review of vehicle maintenance program cost/effectiveness</u>	<u>Every 45 days</u>	<u>Maintenance cost</u>
#6	<u>3</u>	<u>LT</u>	<u>Continue following hiring policies</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#7	<u>3</u>	<u>Cindy</u>	<u>Reach out to other transportation systems for best practices</u>	<u>June 2013</u>	<u>Time</u>
#8			<u>N/A at this time – lease inventory</u>		
#9	<u>3</u>	<u>Cindy/Cheryl</u>	<u>Continue auditing records as needed for CHP inspections</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#10	<u>3</u>	<u>Cindy/Cheryl</u>	<u>Continue monitoring prices with current fuel provider and others for options</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#11	<u>3</u>	<u>Cindy</u>	<u>Suitability study</u>	<u>June 2013</u>	<u>Time</u>
#12	<u>3</u>	<u>Cindy/Cheryl</u>	<u>Review policies, update with assistance from Dr. Guthrie</u>	<u>June 2013</u>	<u>Time</u>

#13	<u>2</u>	<u>Cindy/Cheryl</u>	<u>Continue emergency drills as required by CHP</u>	<u>August 2012</u>	<u>Time</u>
<i>Task</i>	<i>Priority</i>	<i>Who</i>	<i>What</i>	<i>When</i>	<i>Budget</i>
#14	<u>3</u>	<u>Cindy</u>	<u>Review policies</u>	<u>June 2013</u>	<u>Time</u>
#15	<u>3</u>	<u>Cindy</u>	<u>Annually update plan as needed</u>	<u>Annually; Ongoing</u>	<u>Time</u>
#16	<u>3</u>	<u>Cindy/Cheryl</u>	<u>Annually review disciplinary policy</u>	<u>Annually, Ongoing</u>	<u>Time</u>
#17	<u>3</u>	<u>Cindy/Cheryl/SAC</u>	<u>Develop survey</u>	<u>June 2013</u>	<u>Time</u>
#18	<u>3</u>	<u>Cindy/Scott</u>	<u>Continue monitoring costs and reporting</u>	<u>Annually, Ongoing</u>	<u>Time</u>
#19	<u>3</u>	<u>Cindy/SAC</u>	<u>Survey development and seek contact with exemplary transportation programs</u>	<u>June 2013</u>	<u>Time</u>
#20	<u>3</u>	<u>Cindy</u>	<u>Seek information from other systems that have exemplary programs</u>	<u>June 2013</u>	<u>Time</u>



**NOTES**

# **ATTACHMENT G**

## **Long Valley Charter School General Purchasing Procedures**

### **Purchasing Guidelines**

All purchases must be included in and not exceed the approved budgets. Equipment, Furniture, Improvements, and Capital purchases may not be made without Board approval.

All purchases excluding curriculum exceeding \$1,500.00 require an informal quote from at least three vendors to ensure Long Valley Charter School (LVCS) has received the most value for their purchases.

Items and services exceeding \$2,500.00 require Board approval prior to purchase.

Items or services exceeding \$10,000.00 must be pre-approved by the Board of Directors (either through the annual budget process or through a separate Board Agenda Item) and must be acquired through a formal quotation process with written responses from potential vendors, and acceptance of the best quotation by the Board of Directors.

All purchases except those made with a credit card or Revolving Fund check must adhere to the following procedures:

### **Purchase Requisitions**

1. Purchase Requisitions are submitted to the *Regional Program Coordinator*. Once approved by the *Regional Program Coordinator*, the *Requisition is submitted to the Education Director*.
2. *Education Director* reviews the Purchase Requisition and approves or denies it within a timely manner. If the requisition is denied, the *Education Director* will return the requisition to the requestor with an explanation as to why it was denied and what action is required.
3. The *Regional Program Coordinator or School Secretary* then processes approved Purchase Requisitions.
4. Purchase requisitions received after *March 15<sup>th</sup>* of each year will not be approved for the current budget year except for those required to meet a facility emergency or those requesting custodial or maintenance supplies in order to close the books by *June 30<sup>th</sup>* of each fiscal year.

**Board Policy #4****Purchase Orders**

1. The *Regional Program Coordinator or School Secretary* transfers the order information from the Purchase Requisition form to the Purchase Order form assigning the appropriate purchase order number. This is done as quickly as possible. (The PO is attached to all purchase requisition forms that will be connected to that purchase order.)
2. The *Regional Program Coordinator or School Secretary* then places the order with the vendor; verifying the availability and estimated deliver date of the product, which is then recorded on the Purchase Order. Purchase Orders are stamped with No Back Orders and are cancelled if not filled within 30 days.
3. After the order is placed, the Purchase Order with the Purchase Requisitions attached, is then placed in a "Pending Binder" and filed numerically.
4. Purchase orders will not be issued after *March 20<sup>th</sup>* of the current budget year except for those required to meet a facility emergency or for custodial and maintenance supplies in order to close the books by June 30<sup>th</sup> each fiscal year.

**Credit Card Purchases**

1. Purchases made with the Charter School credit card do not require a purchase order.
2. Credit card purchases will not be made after March 30<sup>th</sup> to of the current budget year except for those required to meet a facility emergency or for custodial and maintenance supplies in order to close the books by June 30<sup>th</sup> each fiscal year.

**Receiving Procedures**

1. The *Regional Program Coordinator or School Secretary* who receives the purchase will pull the original Purchase Order, document when the purchases are received, initial the packing list, note whether or not the order is complete, and if items were received in good condition. If there is no packing slip with the order, a copy of the Purchase Order will be substituted for the packing slip.

**Board Policy #4**

2. Purchases will then be inventoried and identified with the LVCS stamp prior to delivery to the requestor.
3. The packing slip will be copied and the copy will be placed with the order for delivery to the requestor. The original packing slip will be attached to the original Purchase Order and filed *in the Vendor file*.
4. The school will contact the requestor when the order has been processed through Receiving.

**Payment**

1. Payments (Bills and Warrants) must be approved by the Board of Directors at a Board Meeting.
2. Invoices and packing list must be matched to the purchase order for payment. Invoice and account numbers must be reflected on all payments. Upon payment a copy of the check voucher will be attached to the invoice packet and the packet will be filed in the Vendor file chronologically.
3. Revolving Fund checks require at least two *authorized* signatures. Revolving Fund purchases do not require a purchase order. A receipt must be attached to the copy of the Revolving Fund check.
4. Credit card receipts must be attached to the credit statement in order to process payment.

# **ATTACHMENT H**

**LONG VALLEY CHARTER SCHOOL  
INDEPENDENT AUDITORS' REPORT  
FOR THE FISCAL YEAR ENDED  
JUNE 30, 2011**

**LONG VALLEY CHARTER SCHOOL**  
**INTRODUCTORY SECTION**  
**JUNE 30, 2011**



**LONG VALLEY CHARTER SCHOOL  
TABLE OF CONTENTS  
JUNE 30, 2011**

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**LONG VALLEY CHARTER SCHOOL**  
**FINANCIAL SECTION**  
**JUNE 30, 2011**

## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Long Valley Charter School  
Doyle, California

We have audited the accompanying statement of financial position of Long Valley Charter School as of June 30, 2011, and the related statements of activities and cash flows for the fiscal year then ended. These financial statements are the responsibility of the Long Valley Charter School's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Long Valley Charter School as of June 30, 2011, and the changes in its net assets and its cash flows for the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated November 18, 2011, on our consideration of the Long Valley Charter School's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreement and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*, and important for assessing the results of our audit.

## **INDEPENDENT AUDITORS' REPORT**

### **Page 2**

Our audit was performed for the purpose of forming an opinion on the financial statements of Long Valley Charter School, taken as a whole. The accompanying supplementary information listed in the Table of Contents, is presented for purposes of additional analysis and is not a required part of the financial statements of Long Valley Charter School. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

San Diego, California  
November 18, 2011

**LONG VALLEY CHARTER SCHOOL  
STATEMENT OF FINANCIAL POSITION  
JUNE 30, 2011**

**ASSETS**

Current assets:

Cash and cash equivalents (Note 3)	\$ 69,655
Accounts receivable (Note 4)	345,987
Prepaid expenses	<u>3,378</u>

Total current assets	<u>419,020</u>
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Fixed assets, net of depreciation (Note 5)	<u>344,035</u>
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Total assets	<u><u>\$ 763,055</u></u>
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**LIABILITIES AND NET ASSETS**

Current liabilities:

Accounts payable	\$ 64,786
Accrued expenses	151,565
Current portion of long-term liabilities (Note 6)	<u>124,202</u>

Total current liabilities	<u>340,553</u>
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Long-term liabilities:

Notes payable, net of current portion (Note 6)	<u>237,756</u>
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Total long-term liabilities	<u>237,756</u>
-----------------------------	----------------

Total liabilities	<u>578,309</u>
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Net assets:

Unrestricted	<u>184,746</u>
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Total net assets	<u>184,746</u>
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Total liabilities and net assets	<u><u>\$ 763,055</u></u>
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The notes to the financial statements are an integral part of the statement.

**LONG VALLEY CHARTER SCHOOL  
STATEMENT OF ACTIVITIES  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

	<u>Unrestricted</u>
<b>REVENUES</b>	
Revenue limit sources:	
State apportionments	\$ 1,663,551
In-lieu of property taxes	240,458
Federal revenues	106,712
State revenues	421,257
Local revenues	<u>23,405</u>
Total revenues	<u>2,455,383</u>
<b>EXPENSES</b>	
Program services	
Education	1,890,919
Support services	
Management and general	441,442
Fundraising	<u>4,393</u>
Total expenses	<u>2,336,754</u>
<b>CHANGE IN NET ASSETS</b>	118,629
<b>NET ASSETS, BEGINNING OF YEAR</b>	<u>66,117</u>
<b>NET ASSETS, END OF YEAR</b>	<u><u>\$ 184,746</u></u>

The notes to the financial statements are an integral part of the statement.

**LONG VALLEY CHARTER SCHOOL  
STATEMENT OF CASH FLOWS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

**Cash flows from operating activities:**

Change in net assets	\$ 118,629
Adjustments to reconcile change in net assets to net cash from operating activities:	
Depreciation	9,853
(Increase) decrease in operating assets:	
Accounts receivable	(51,427)
Prepaid expenses	(3,378)
Increase (decrease) in operating liabilities:	
Accounts payable	(59,014)
Accrued expenses	151,565
Current loan	(45,000)
Net cash flows from operating activities	<u>121,228</u>

**Cash flows used in investing activities**

Purchase of land	(276,247)
Net cash flows used in investing activities	<u>(276,247)</u>

**Cash flows from financing activities:**

Proceeds from loan	262,500
Payment on loans	(111,372)
Net cash flows from financing activities	<u>151,128</u>

**Net decrease in cash** (3,891)

**Cash and cash equivalents, beginning of year** 73,546

**Cash and cash equivalents, end of year** \$ 69,655

The notes to the financial statements are an integral part of the statement.

**LONG VALLEY CHARTER SCHOOL  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 2011**

**NOTE 1 - ORGANIZATION**

Long Valley Charter School (Organization) is a non-profit public benefit corporation. The Organization was petitioned and approved through the State Board of Education for a five-year period ending in June 30, 2015. The Organization was approved by the State of California Department of Education on July 27, 2000.

The Organization commenced operations during the 2000-2001 fiscal year and currently serves approximately 194 students in kindergarten through grade 12.

The mission of the Organization is to equip rural students with the educational skills necessary in the 21st Century – the ability to read, write, speak, and calculate with clarity and precision, and the ability to participate intelligently and responsibly in a global society.

**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Financial Statement Presentation**

The financial statements are presented in conformity with Accounting Standards Codification (ASC) 958-205, *Non-For-Profit Entities – Presentation of Financial Statements*. Under ASC 958-205, the Organization reports information regarding its financial position and activities according to three classes of net assets: unrestricted, temporarily restricted, and permanently restricted. The Organization has no temporarily restricted or permanently restricted net assets. In addition, the Organization is required to present a Statement of Cash Flows.

**B. Accounting Method - Basis of Accounting**

The financial statements were prepared in accordance with accounting principles generally accepted in the United States of America as applicable to not-for-profit organizations. Basis of accounting refers to when revenues and expenses are recognized in the accounts and reported on the financial statements. Basis of accounting relates to the timing of measurement made, regardless of the measurement focus applied. The Organization uses the accrual basis of accounting. Revenues are recognized when they are earned and expenditures are recognized in the accounting period in which the liability is incurred.

**C. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.



**LONG VALLEY CHARTER SCHOOL  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 2011**

**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Income Taxes**

The Organization is exempt from income taxes under Internal Revenue Code Section (IRC §) 501(c)(3). It is, however, subject to income taxes from activities unrelated to its tax-exempt purpose.

**E. Functional Allocation of Expenses**

The costs of providing the program services have been summarized on a functional basis in the statement of activities. Accordingly, certain costs have been allocated among the program services based on employees' time incurred and management's estimates of the usage of resources.

**F. Cash**

For purposes of the Statement of Cash Flows, the Organization considers all cash on hand and in banks.

**G. Fixed Assets**

Fixed Assets are recorded at cost and depreciated under the straight-line method over their estimated useful lives of 3 to 5 years. Repair and maintenance costs, which do not extend the useful lives of the asset, are charged to expense. The cost of assets sold or retired and related amounts of accumulated depreciation are eliminated from the accounts in the year of disposal, and any resulting gain or loss is included in the earnings. Management has elected to capitalize and depreciate all assets costing \$5,000 or more; all other assets are charged to expense in the year incurred.

**H. Deferred Revenue**

Deferred Revenue represents federal and state contract funds received, but not expended. These funds must be expended in accordance with the provisions of the contract to which they apply or refund if not expended under the terms of the contract.

**NOTE 3 - CASH AND CASH EQUIVALENTS**

**A. Cash in County Treasury**

The Organization maintains a portion of its cash in the County Treasury as part of the common investment pool (\$498 as of June 30, 2011). The fair value of the Organization's portion of this pool as of that date, as provided by the pool sponsor, was \$500. Assumptions made in determining the fair value of the pooled investment portfolios are available from the County Treasurer.

**LONG VALLEY CHARTER SCHOOL  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 2011**

**NOTE 3 - CASH AND CASH EQUIVALENTS (CONTINUED)**

The county is restricted by Government Code Section 53635 pursuant to Section 53601 to invest in time deposits, U.S. Government securities, state registered warrants, notes or bonds, State Treasurer's investment pool, bankers' acceptances, commercial paper, negotiable certificates of deposit, and repurchase or reverse repurchase agreements.

**B. Cash in banks**

Cash and cash equivalents at June 30, 2011, consisted of the following:

Pooled Funds:		
Cash in County Treasury	\$	498
Deposits:		
Cash in banks		69,157
Total cash and cash equivalents	\$	<u>69,655</u>

Cash balances held in banks are insured up to \$250,000 by the Federal Depository Insurance Corporation (FDIC). The Organization maintains its cash in bank deposit accounts that at times may exceed federally insured limits. At June 30, 2011, the Organization did not have any uninsured funds.

**NOTE 4 - ACCOUNTS RECEIVABLE**

Accounts receivable at June 30, 2011, consisted of the following:

Revenue limit sources:		
State apportionments	\$	16,497
In-lieu of property taxes		115,625
Federal revenues		29,366
State revenues		184,499
Total accounts receivable	\$	<u>345,987</u>

**NOTE 5 - FIXED ASSETS**

Fixed assets at June 30, 2011, consisted of the following:

Land	\$	276,247
Buildings improvements		66,430
Furniture and fixtures		42,697
Less: accumulated depreciation		<u>(41,339)</u>
Total fixed assets, net of depreciation	\$	<u>344,035</u>

**LONG VALLEY CHARTER SCHOOL  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 2011**

**NOTE 5 - FIXED ASSETS (CONTINUED)**

During the fiscal year ended June 30, 2011, \$9,853 was charged to depreciation expense.

**NOTE 6 - LONG-TERM LIABILITIES**

A. Long-term liabilities activity

Long-term liabilities activity includes debt and other long-term liabilities. Changes in obligations for the fiscal year ended June 30, 2011, are as follows:

	Balance 2010	Additions	Payments	Balance 2011	Due in one year
Promissory note - Jason and Gailene Murry	\$ -	\$ 262,500	\$ 5,957	\$ 256,543	\$ 18,787
C.D.E. repayments	210,830	-	105,415	105,415	105,415
Total	<u>\$ 210,830</u>	<u>\$ 262,500</u>	<u>\$ 111,372</u>	<u>\$ 361,958</u>	<u>\$ 124,202</u>

B. Promissory note - Jason and Gailene Murry

On February 4, 2011, the Organization took out a one-hundred and twenty (120) month note in the principal amount of \$262,500 with interest at 7.5%. The loan was to mature on February 10, 2021, with monthly principal payments of \$3,116 including interest. As of June 30, 2011, the Organization made payments of \$5,957 on the loan. Debt service requirements for this promissory note are as follows:

Year Ending June 30,	Principal	Interest	Total
2012	\$ 18,787	\$ 18,604	\$ 37,391
2013	20,246	17,145	37,391
2014	21,818	15,573	37,391
2015	23,511	13,880	37,391
2016	25,337	12,054	37,391
2017 - 2021	146,844	27,648	174,492
	<u>\$ 256,543</u>	<u>\$ 104,904</u>	<u>\$ 361,447</u>

**LONG VALLEY CHARTER SCHOOL  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 2011**

**NOTE 6 - LONG-TERM LIABILITIES (CONTINUED)**

A. California Department of Education (C.D.E.) repayments

On February 16, 2005, The California Department of Education approved the June 28, 2004, request for a repayment plan to resolve Finding 2002-5, contained in the Organization's 2001-02 annual audit. The first installment was withheld from the 2004-2005 Second Principal (P-2) Apportionments. Subsequent annual installments are withheld from the First Principal (P-1) Apportionment of each year until the full liability is satisfied. Any outstanding liability will be immediately due and payable upon the termination of the charter agreement between the Organization and the Sponsoring District. There is no interest applied to the repayment plan. Debt service requirements for this repayment as of June 30, 2011, are as follows:

Year Ending June 30,	Principal	Interest	Total
2012	\$ 105,415	\$ -	\$ 105,415
	\$ 105,415	\$ -	\$ 105,415

**NOTE 7 - OPERATING LEASE**

The Organization leases its facilities and office equipment under lease arrangements for more than one year. The future minimum lease payments are as follows:

Year Ending June 30,	Lease Payments
2012	\$ 53,545
2013	37,007
2014	26,400
Total future lease payments	\$ 116,952

The Organization will receive no sublease rental revenues nor pay any contingent rentals associated with these leases. For the year ended June 30, 2011, operating lease expense was \$87,330.

**NOTE 8 - EMPLOYEE RETIREMENT SYSTEMS**

Qualified employees are covered under multiple-employer defined benefit pension plans maintained by agencies of the State of California. Certificated employees are members of the State Teachers' Retirement System (STRS).

**LONG VALLEY CHARTER SCHOOL  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 2011**

**NOTE 8 - EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)**

Plan Description and Funding Policy

STRS

Plan Description

The Organization contributes to STRS, a cost-sharing multiple-employer public employee retirement system defined benefit pension plan administered by STRS. The plan provides retirement, disability, and survivor benefits to beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the State Teachers' Retirement Law. STRS issues a separate comprehensive annual financial report that includes financial statements and required supplementary information. Copies of the STRS annual financial report may be obtained from STRS, 7667 Folsom Boulevard, Sacramento, California 95826.

Funding Policy

Active plan members are required to contribute 8.0% of their salary and the Organization is required to contribute an actuarially determined rate. The actuarial methods and assumptions used for determining the rate are those adopted by the STRS Teachers' Retirement Board. The required employer contribution rate for fiscal year 2010-2011 was 8.25% of annual payroll. The contribution requirements of the plan members are established by state statute. The Organization's contributions to STRS for the fiscal years ending June 30, 2011, 2010, and 2009, was \$85,290, \$57,108, and \$41,072, respectively, and equals 100% of the required contributions for each fiscal year.

**NOTE 9 - COMMITMENTS AND CONTINGENCIES**

A. State Allowances, Awards, and Grants

The Organization has received state funds for specific purposes that are subject to review and audit by the grantor agencies. Although such audits could generate expenditure disallowances under terms of the grants, it is believed that any required reimbursement will not be material.

**NOTE 10 - SUBSEQUENT EVENT**

The Organization's management has evaluated events or transactions that may occur for potential recognition or disclosure in the financial statements from the balance sheet date through November 18, 2011, which is the date the financial statements were available to be issued. As of November 18, 2011, the Organization had subsequently sold their receivables for the amount of \$391,812.

**LONG VALLEY CHARTER SCHOOL**  
**SUPPLEMENTARY INFORMATION SECTION**  
**JUNE 30, 2011**

**LONG VALLEY CHARTER SCHOOL  
ORGANIZATION  
JUNE 30, 2011**

Long Valley Charter School [#0320] is a Kindergarten through Grade 12 Charter School and was granted its charter by the State Board of Education on July 1, 2010, pursuant to the terms of the Charter Schools Act of 1992, as amended.

The Board of Directors for the fiscal year ended June 30, 2011, was comprised of the following members:

<u>Name</u>	<u>Office</u>	<u>Term</u>	<u>Term Expiration</u>
William Harkness	President	4 years	December 1, 2014
Jane (El) VonTour	Vice-President	4 years	December 1, 2012
Julie Lee Wells	Member	4 years	December 1, 2012
Justin Anderson	Member	4 years	December 1, 2014
Richard Gotcher	Clerk	4 years	December 1, 2014

<u>Administration</u>	
<u>Name</u>	<u>Position</u>
Cindy Henry	Education Director

**LONG VALLEY CHARTER SCHOOL  
SCHEDULE OF AVERAGE DAILY ATTENDANCE  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Second Period Report				
	Classroom Based		Independent Study	
	Resident	Non-Resident	Resident	Non-Resident
Elementary:				
Kindergarten	9.83	0.95	-	5.46
Grades 1 - 3	32.36	-	1.41	24.01
Grades 4 - 6	35.30	0.88	1.36	28.25
Grades 7 - 8	20.12	0.86	0.37	32.98
Total Elementary	<u>97.61</u>	<u>2.69</u>	<u>3.14</u>	<u>90.70</u>
High School:				
Grades 9 - 12	-	-	-	124.22
Total High School	<u>-</u>	<u>-</u>	<u>-</u>	<u>124.22</u>

Annual Report				
	Classroom Based		Independent Study	
	Resident	Non-Resident	Resident	Non-Resident
Elementary:				
Kindergarten	10.29	0.96	-	5.34
Grades 1 - 3	32.73	-	1.33	25.57
Grades 4 - 6	35.46	0.88	1.28	30.32
Grades 7 - 8	20.20	0.86	0.51	36.62
Total Elementary	<u>98.68</u>	<u>2.70</u>	<u>3.12</u>	<u>97.85</u>
High School:				
Grades 9 - 12	-	0.01	0.97	138.16
Total High School	<u>-</u>	<u>0.01</u>	<u>0.97</u>	<u>138.16</u>

The Organization is 51.66% classroom-based and generates 48.34% ADA from a full-time independent study program.



**LONG VALLEY CHARTER SCHOOL  
SCHEDULE OF INSTRUCTIONAL TIME  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Grade Level	1986-87 Minutes Requirements*	2010-2011 Actual Minutes	Number of Days Traditional Calendar	Status
Kindergarten	34,971	58,800	175	In compliance
Grade 1	48,960	59,675	175	In compliance
Grade 2	48,960	59,675	175	In compliance
Grade 3	48,960	59,675	175	In compliance
Grade 4	52,457	59,675	175	In compliance
Grade 5	52,457	59,675	175	In compliance
Grade 6	52,457	59,675	175	In compliance
Grade 7	52,457	59,675	175	In compliance
Grade 8	52,457	59,675	175	In compliance

\* As reduced pursuant to the provisions of Education Code Section 46201.2.

**LONG VALLEY CHARTER SCHOOL  
STATEMENT OF FUNCTIONAL EXPENSES  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

	Program Services	Support Services		
	Education	Management and General	Fundraising	Total
Certificated salaries	\$ 968,257	\$ 120,666	\$ -	\$ 1,088,923
Classified salaries	99,476	103,321	-	202,797
Employee benefits	204,989	33,861	-	238,850
Books and supplies	102,361	8,079	-	110,440
Travel and conferences	5,414	1,109	-	6,523
Dues and memberships	3,309	412	-	3,721
Insurance	22,024	4,511	-	26,535
Operation and housekeeping services	60,308	8,488	-	68,796
Rental, leases, and repairs non-capitalized improvements	72,923	14,936	-	87,859
Professional/consulting services and operating expenditures	341,678	90,877	-	432,555
Communications	5,097	1,043	-	6,140
Depreciation	-	9,853	-	9,853
Direct support/indirect cost charges	5,083	30,359	-	35,442
Interest, long-term debt	-	13,927	-	13,927
Fundraising	-	-	4,393	4,393
Total expenses	<u>\$ 1,890,919</u>	<u>\$ 441,442</u>	<u>\$ 4,393</u>	<u>\$ 2,336,754</u>

**LONG VALLEY CHARTER SCHOOL**  
**OTHER INDEPENDENT AUDITORS' REPORTS SECTION**  
**JUNE 30, 2011**

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

Board of Directors  
Long Valley Charter School  
Doyle, California

We have audited the financial statements of the Long Valley Charter School (Organization), as of and for the fiscal year ended June 30, 2011, and have issued our report thereon dated November 18, 2011. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Organization's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over financial reporting.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

**Page 2**

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Organization's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of Management, Board of Directors, the Audit/Finance Committee, federal awarding agencies and pass-through entities, where applicable, and is not intended to be and should not be used by anyone other than these specified parties.

San Diego, California  
November 18, 2011

## REPORT ON STATE COMPLIANCE

### Independent Auditors' Report

Board of Directors  
Long Valley Charter School  
Doyle, California

We have audited Long Valley Charter School's (Organization) compliance with the types of compliance requirements described in the *Standards and Procedures for Audits of California K-12 Local Education Agencies 2010-2011*, published by the Education Audit Appeals Panel, that could have a direct and material effect on each of the Organization's state programs for the fiscal year ended June 30, 2011. The Organization's state programs are identified below. Compliance with the requirements of laws, regulations, contracts and grants, applicable to each of its state programs, is the responsibility the Organization's management. Our responsibility is to express an opinion on the Organization's compliance based on our audit.

We conduct our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the State's Audit Guide, *Standards and Procedures for Audits of California K-12 Local Educational Agencies 2010-2011*, published by the Education Audit Appeals Panel. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on state program occurred. An audit includes examining, on a test basis, evidence about the Organization's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the Organization's compliance with those requirements.

The Organization's management is responsible for the Organization's compliance with laws and regulations. In connection with the audit referred to above, we selected transactions and records to determine the Organization's compliance with the state laws and regulations applicable to the following items:

<u>Description</u>	<u>Procedures In Audit Guide</u>	<u>Procedures Performed</u>
Class Size Reduction (including in charter schools)		
General Requirements	7	Yes
Option One Classes	3	Yes
Option Two Classes	4	Not Applicable
District or Charter Schools With Only One School		
Serving K-3	4	Not Applicable

## REPORT ON STATE COMPLIANCE

### Page 2

<u>Description</u>	<u>Procedures In Audit Guide</u>	<u>Procedures Performed</u>
After School Education and Safety Program		
General Requirements	4	Not Applicable
After School	4	Not Applicable
Before School	5	Not Applicable
Contemporaneous Records of Attendance, for charter schools	1	Yes
Mode of Instruction, for charter schools	1	Yes
Nonclassroom-Based Instruction/Independent Study, for charter schools	15	Yes
Determination of Funding for Nonclassroom-Based Instruction, for charter schools	3	Yes
Annual Instructional Minutes - Classroom Based, for charter schools	3	Yes

The term "Not Applicable" is used above to mean either that the Organization did not offer the program during the current fiscal year, or that the program applies only to a different type of local education agency.

In our opinion, the Organization complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its state programs for the fiscal year ended June 30, 2011.

This report is intended solely for the information and use of the Management, Board of Directors, Audit/Finance Committee, State Controller's Office, Department of Education, pass-through entities, where applicable, and is not intended to be and should not be used by anyone other than these specified parties.

San Diego, California  
November 18, 2011

**LONG VALLEY CHARTER SCHOOL**  
**FINDINGS AND QUESTIONED COSTS SECTION**  
**JUNE 30, 2011**



**LONG VALLEY CHARTER SCHOOL  
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

**A. Summary of Auditors' Results**

**1. Financial Statements**

Type of auditors' report issued: Unqualified

Internal control over financial reporting:

One or more material weaknesses identified?      Yes   X   No

One or more significant deficiencies identified that  
are not considered to be material weaknesses?      Yes   X   None Reported

Noncompliance material to financial  
statements noted?      Yes   X   No

**2. Federal Awards**

Internal control over major programs:

One or more material weaknesses identified?      Yes   N/A   No

One or more significant deficiencies identified that  
are not considered to be material weaknesses?      Yes   N/A   None Reported

Type of auditors' report issued on compliance for  
major programs:           N/A          

Any audit findings disclosed that are required to be  
reported in accordance with section .510(a)  
or Circular A-133?      Yes   N/A   No

Identification of major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program or Cluster</u>
-----------------------	---

*The Organization did not have over \$500,000 in Federal Expenditures.*

Dollar threshold used to distinguish between  
type A and type B programs:           N/A          

Auditee qualified as low-risk auditee?      Yes   N/A   No

**LONG VALLEY CHARTER SCHOOL  
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS (CONTINUED)  
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

**A. Summary of Auditors' Results (Continued)**

3. State Awards

Internal control over state programs:

One or more material weaknesses identified?             Yes      X   No

One or more significant deficiencies identified that  
are not considered to be material weaknesses?             Yes      X   None Reported

Type of auditors' report issued on compliance  
for state programs:      Unqualified

**B. Financial Statement Findings**

NONE

**C. Federal Award Findings and Questioned Costs**

NONE

**D. State Award Findings and Questioned Costs**

NONE

**LONG VALLEY CHARTER SCHOOL  
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS  
JUNE 30, 2011**

<b><u>Findings/Recommendations</u></b>	<b><u>Current Status</u></b>	<b><u>Explanation If Not Implemented</u></b>
None	N/A	N/A

# **ATTACHMENT I**



## Long Valley Charter School

*Proudly Established in the Year 2000*

*Continued Educational Excellence Since 1871*

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P.O. Box 7 ~ Doyle, CA 96109 Telephone ~ 530 827-2395  
January 18, 2012

Stephen Work  
CDE Charter School Division  
1430 N Street, Suite 5401  
Sacramento, CA 95814

RE: HQ status of Independent Study teachers at LVCS

Dear Stephen:

The ability to meet the highly qualified requirements within Independent Study is accomplished through a collaborative teaching approach, as defined on the Highly Qualified Teachers in Independent Study page on the CDE website (<http://www.cde.ca.gov/sp/eo/is/appnclbtris.asp>). The manner in which we, as a school, have utilized this approach is as follows:

- We offer a K-12 Independent Study Program.
- Students are assigned a supervising teacher, who meets with students on their roster weekly and gives weekly assignments to those students, collects work, grades work, and records attendance.
- If the supervising teacher is not highly qualified in a core subject course that a student is enrolled in, a subject teacher is assigned. This teacher offers office hours, labs, classes, etc. in the subject in which they are highly qualified, ensuring that students receive instruction from an HQT in all NCLB core academic subjects.
- Teachers combine student appointment times to maximize teacher contact so that, for example, four students taking Algebra 1 could meet together with the HQT.
- Academic evaluations are the responsibility of the HQT subject teacher, with collaboration with the supervising teacher.
- Students have access to online curriculum in both core and non-core subjects.
- Students may also take courses at the local community colleges.
- A system of communication between supervising teachers and subject teachers is in place. The supervising teacher is the primary signature on the Independent Study Master Agreement. All other course instructors are supplementary signatures on the Master Agreement.
- Supervising teachers work across grade levels (K-12).
- Each Resource Center has both supervising and subject teachers. In the event that a subject teacher is not available at a Resource Center, ooVoo (or equivalent) video conferencing will be used to give students the support needed until an HQT is available in all core courses.

With regards,

Cindy Henry, Education Director  
Long Valley Charter School

Teacher's Name		Credential Info	Authorized Subjects				
Last	First	Title	Subject 1	Subject 2	Subject 3	Subject 4	Subject 5
<b>SUSANVILLE RESOURCE CENTER</b>							
Azevedo	Kimber	Clear Multiple Subject Teaching Credential	General Subjects				
Bertotti	Teri	Clear Multiple Subject Teaching Credential	General Subjects				
Dunn	Cassandra	Clear Multiple Subject Teaching Credential	General Subjects				
Foy	Emily	Clear Multiple Subject Teaching Credential	General Subjects				
Tantardino	Susan	Clear Multiple Subject Teaching Credential	General Subjects				
Dawson-Weav	Ann	Clear Single Subject Teaching Credential	Home Economics	Math	Language Arts	Science	History/Social Studies
West	Jennifer	Clear Single Subject Teaching Credential	English				
		Clear Multiple Subject Teaching Credential	General Subjects				
<b>COTTONWOOD RESOURCE CENTER</b>							
Hinchliffe	Jillian	Preliminary Multiple Subject Teaching Credential	General Subjects				
James	Rosemary	Clear Multiple Subject Teaching Credential	General Subjects	Science	Waiting on documents from APL (previous employer, but HQ		
Knight	Bryan	Preliminary Multiple Subject Teaching Credential	General Subjects				
Knight	Julia	Clear Multiple Subject Teaching Credential	General Subjects	English	Math	Social Science	Life Science
Latham	Vanessa	Clear Multiple Subject Teaching Credential	General Subjects	World History	World Geography		
Mobley	Ann	Clear Standard Elementary Teaching Credential	Child Development	English	Science	Civics/Gov't	Economics
<b>PORTOLA RESOURCE CENTER</b>							
Caley	Kathleen	Clear Multiple Subject Teaching Credential	General Subjects				
Cheney	Cheryl	Life Standard Secondary Teaching Credential	English	Psychology	History		
Childers	Cheree	Application Pending Evaluation	Biological Science	General Science			
Ingstad	Mary	Level II Education Specialist Instruction Credential	Multiple Subjects	Visual Arts			
Klemesrud	Eleanor	Clear Multiple Subject Teaching Credential	General Subjects	Social Science			
Klemesrud	Erin	Clear Multiple Subject Teaching Credential	General Subjects	English			
Morgan	Sherri	Clear Single Subject Teaching Credential	Business	Introductory Math	Visual Arts	Multiple Subjects	English
Powers	William	Clear Single Subject Teaching Credential	English	TBD			

KEY: Pending HOUSSE CSET

***In reference to Kelly Hilberg and her HQ status to teach Algebra:  
Multiple subject credentialed teachers—middle school core class***

California *Education Code (EC)* Section 44258.1 allows the holder of a credential authorizing instruction in a self-contained classroom to teach in any of grades five to eight, inclusive, in a middle school if the holder of the credential teaches two or more subjects for two or more periods per day to the same group of pupils.

Subject 6	Subject 7	Subject 8				
Visual Arts	Multiple Subjects	Foreign Language				
OUSSE in all subjects)						
Physical Science	Biology	General Science	Visual Arts	Foreign Language		
Geography	Math	Visual Arts				
Biological Science	Geo Science	General Science	Government	Economics	Social Science	Foreign Language

Teacher's Name			Courses Taught						Credential Info		Authorization Codes					Dates	
Last	First	Middle	Course 1	Core (Y/N)	Course 2	Core (Y/N)	Course 3	Core (Y/N)	Title	Number	Code 1	Code 2	Code 3	Code 4	Code 5	Issuance	Expiration
Azevedo	Kimber	Rae	K-12 (through IS)						Clear Multiple Subject Teaching Credential	070354677	R2M					6/1/2008	6/1/2013
									Clear Crosscultural, Language and Academic Development Certificate	081102942	S12					9/23/2008	
Berry	Julie	Anne	Grade K						Clear Multiple Subject Teaching Credential	110193805	R2M					11/1/2011	11/1/2016
Bertotti	Teri	Lynn	K-12 (through IS)						Clear Multiple Subject Teaching Credential	110117245	R2M					7/6/2011	8/1/2016
									Clear Certificate of Completion of Staff Development	020238185	S17D	S17S				7/30/2002	
Brussatoi	Misty	Kim	Grade 4-5						Preliminary Multiple Subject Teaching Credential	090079155	R2M					1/7/2009	2/1/2014
Caley	Kathleen	Claire	K-12 (through IS)						Clear Multiple Subject Teaching Credential	101115174	R2M					7/1/2010	7/1/2015
									Clear Certificate of Completion of Staff Development	030109329	S17D	S17S				9/30/2002	
Cheney	Cheryl	Suzanne	K-12 (through IS)						Life Standard Secondary Teaching Credential	34240SCL	103					8/29/1969	
									Clear Certificate of Completion of Staff Development	081045558	S17D	S17S				6/16/2008	
Childers	Cheree	Danielle	K-12 (through IS)						Application Pending Evaluation								
Cole	Debbie	Jo	Grades 6/7/8						Clear Multiple Subject Teaching Credential	101157856	R2M	R2BL				7/1/2010	7/1/2015
Dunn	Cassandra	Lee	K-12 (through IS)						Clear Multiple Subject Teaching Credential	090217650	R2M	R242				6/5/2009	7/1/2014
Foy	Emily	Ann	K-12 (through IS)						Clear Multiple Subject Teaching Credential	090183338	R2M	R242				6/5/2009	7/1/2014
Henry	Cindy	Lynn							Clear Multiple Subject Teaching Credential	101227031	R2M					9/2/2010	10/1/2015
									Preliminary Administrative Services Credential	110114084	R54A					5/26/2011	10/1/2015
Hilberg	Kelly	Ann	Grades 6/7/8						Clear Multiple Subject Teaching Credential	080132971	R2M					3/1/2008	4/1/2013
Hinchliffe	Jillian	Ilene	K-12 (through IS)						Preliminary Multiple Subject Teaching Credential	101077145	R2M	R242				1/14/2010	2/1/2015
Ingstad	Mary	Elizabeth	K-12 (through IS)						Clear Crosscultural, Language and Academic Development Certificate	070253862	S12					4/26/2007	
									Level II Education Specialist Instruction Credential	101131345	R3MM					4/5/2010	5/1/2015
James	Rosemary	Susan	K-12 (through IS)						Clear Multiple Subject Teaching Credential	101290348	R2M	R2B				1/1/2011	1/1/2016
Klemesrud	Eleanor	Mae	K-12 (through IS)						Clear Multiple Subject Teaching Credential	101110889	R2M					8/1/2010	8/1/2015
									Clear Crosscultural, Language and Academic Development Certificate	060038896	S12					7/15/2005	
Klemesrud	Erin	Francis	K-12 (through IS)						Level II Education Specialist Instruction Credential	110008164	R3MM					11/1/2011	11/1/2016
									Level II Education Specialist Instruction Credential	110122767	R3MM	ELA1				5/23/2011	6/1/2016



Teacher's Name			Courses Taught						Credential Info		Authorization Codes					Dates	
									Clear Multiple Subject Teaching Credential	110122243	R2M	R2B	ELA1			5/23/2011	6/1/2016
Knight	Bryan	Timothy	K-12 (through IS)						Preliminary Multiple Subject Teaching Credential	101057534	R2M	R242				12/22/2009	1/1/2015
Knight	Julia	Anne	K-12 (through IS)						Clear Multiple Subject Teaching Credential	101258558	R2M					2/1/2011	2/1/2016
									Clear Specialist Instruction Credential in Special Education	101258524	R3LH					2/1/2011	2/1/2016
									Clear Administrative Services Credential	101258429	R54A					2/1/2011	2/1/2016
Latham	Vanessa	Ann	K-12 (through IS)						Clear Multiple Subject Teaching Credential	101168789	R2M	R242				6/18/2010	7/1/2015
Mobley	Ann	Linda	K-12 (through IS)						Clear Standard Elementary Teaching Credential	101116943	101					7/1/2010	7/1/2015
Morgan	Sherri	Lynn	K-12 (through IS)						Clear Single Subject Teaching Credential	081072302	R1B	R1S				1/1/2009	1/1/2014
									Clear Crosscultural, Language and Academic Development Certificate	090072786	S12					12/24/2008	
									Preliminary Administrative Services Credential	110077672	R54A					2/8/2011	1/1/2014
Powers	William	Aubrey	K-12 (through IS)						Clear Single Subject Teaching Credential	081021666	R1S					7/24/2008	8/1/2013
Rust	Karen	Irene	Grades 2-3						Clear Multiple Subject Teaching Credential	110194675	R2M					10/28/2011	11/1/2016
Tantardino	Susan	Michelle	K-12 (through IS)						Clear Multiple Subject Teaching Credential	101139253	R2M	R2CL				8/1/2010	8/1/2015
Dawson-Weaver	Ann	Elizabeth	K-12 (through IS)						Clear Single Subject Teaching Credential	070278811	R1S					8/1/2007	8/1/2012
									Clear Crosscultural, Language and Academic Development Certificate	070312221	S12					7/30/2007	
									Preliminary Administrative Services Credential	080085954	R54A					1/14/2008	2/1/2013
West	Jennifer	Ann	K-12 (through IS)						Clear Single Subject Teaching Credential	070194705	R1S					7/1/2007	7/1/2012
									Clear Multiple Subject Teaching Credential	070194706	R2M					9/1/2007	9/1/2012
Williams	Elise	Michelle	Grade 1						Preliminary Multiple Subject Teaching Credential	090147191	R2M	R242	SMAA			7/2/2009	8/1/2014

Notes:

Please visit <https://teachercred.ctc.ca.gov/teachers/PersonalSearchProxy> to look up any needed information.

Enter "N/A" for any field that does not apply.

[illegible]

Authorized Subjects					Supplementary Authorized Subjects				
General Subjects	Special Preparation for Teaching Middle Level Students: Grades 5-8	English							
General Subjects									
General Subjects									
Learning Handicapped									
General Subjects									
Child Development (Academic)									
Business	Introductory Math								
English									
General Subjects									
General Subjects	Crosscultural, Language & Academic Development Emphasis								
Home Economics									
English									
General Subjects									
General Subjects	Civics	Government							

# **ATTACHMENT J**

# Long Valley Charter School

## 2011-2012 School Achievement Plan

### Analysis of Current Instructional Program

The following statements characterize educational practice (both site-based and Independent Study) at this school:

1. Availability of standards-based instructional materials appropriate to all student groups:

Textbooks and materials purchased are aligned to the standards and are designed to address all student needs. A complete list of textbooks can be viewed at the Doyle school site. Additional standards aligned materials may be acquired to accommodate different learning modalities.

2. Alignment of staff development to standards, assessed student performance and professional needs:

The addition of monthly early dismissal days as well as weekly staff meetings provides opportunities for collaboration, allowing teachers time to analyze and interpret assessment data, and to align instruction to standards and student needs. Staff development has been planned and implemented on both school wide and local levels. This strategy has enabled staff development to address universal issues and needs as well as the unique needs of distinct geographic areas and programs

3. Services provided by LVCS to enable under-performing students to meet standards:

Teachers work to provide differentiated instruction in the regular education setting. All grades offer flexible reading and math groups and curriculum based on individual instructional levels as indicated by assessments. Ongoing collaboration at each grade level and staff development workshops offers teachers opportunities to address all student needs. Our school site program provides aides in grades K-8 classrooms to work with small groups of children in reading and math. Teachers work with students to provide appropriate interventions. After school and noon time interventions are offered for all under-performing students. Independent Study teachers collaborate with students and their families to develop personalized learning plans in response to assessments and feedback on student learning modalities. Weekly small group instruction is provided in each resource center to address specific areas of need with a focus on English-Language Arts and Mathematics skills development.

4. Use of state and local assessments to modify instruction and improve student achievement:

The district provides extensive data using both state and district assessments for analysis. All teachers use this data regularly to improve student achievement by attending specific workshops related to the areas needed for improvement and to identify individual student needs. Teachers supplement paced lessons based on the feedback from benchmark assessments.

5. Number and percentage of teachers in academic areas experiencing low student performance:

There are students in all grade levels who perform at levels below “basic” on district and state assessments. These students receive direct instruction and have opportunities to attend intervention classes or tutoring sessions.

6. School and community barriers to improvements in student achievement:

The diversity of student needs represented in a grade level or site-based classroom continues to be a challenge. Teachers and staff work very hard to meet the needs of all students who have varied levels of performance. Support from parents is critical to student learning, therefore, LVCS will continue to seek opportunities to encourage parent participation.

7. Limitations of the current program to enable under-performing students to meet standards:

Managing classroom and individualized instruction, whether site-based or through independent study, is challenging. We will continue to find ways to meet the challenges and improve student learning.

## Student Performance Data:

API Table

	Number of Students Included in 2011 API	Numerically Significant in Both Years	2011 Growth	2010 Base	2010-11 Growth Target	2010-11 Growth	Met Student Groups Growth Target
Schoolwide	122		741	750	5	-9	
White	104	Yes	738	758	5	-20	No
Socioeconomically Disadvantaged	54	No	756	835			

AYP Table - Participation

English-Language Arts Target 95% Met all participation rate criteria? Yes					Mathematics Target 95% Met all participation rate criteria? Yes			
GROUPS	Enrollment				Enrollment			
	First Day of Testing	Number of Students Tested	Rate	Met 2011 AYP Criteria	First Day of Testing	Number of Students Tested	Rate	Met 2011 AYP Criteria
Schoolwide	228	220	96	Yes	228	218	96	Yes
White	193	186	96	Yes	193	184	95	Yes
Socioeconomically Disadvantaged	106	102	96	Yes	106	102	96	Yes

### AYP Table – Percent Proficient (AMOs)

GROUPS	English-Language Arts				Alternative Method	Mathematics				Alternative Method
	Valid Scores	Number At or Above Proficient	Percent At or Above Proficient	Met 2011 AYP Criteria		Valid Scores	Number At or Above Proficient	Percent At or Above Proficient	Met 2011 AYP Criteria	
<b>Schoolwide</b>	106	61	57.5	No		105	61	58.1	Yes	SH
White	92	51	55.4	No		91	52	57.1	Yes	SH
Socioeconomically Disadvantaged	49	29	59.2	--		49	29	59.2	--	

### STAR Table

#### Reported Enrollment

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Reported Enrollment	23	23	30	20	26	41	33	45	41	63	

#### CST English-Language Arts

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested	21	22	30	20	24	39	31	42	40	59	
% of Enrollment	91.3 %	95.7 %	100.0 %	100.0 %	92.3 %	95.1 %	93.9 %	93.3 %	97.6 %	93.7 %	
Students with Scores	21	22	30	20	24	39	31	42	40	59	
Mean Scale Score	353.7	341.4	363.0	347.6	329.3	335.7	334.9	329.5	312.6	299.0	
% Advanced	19 %	14 %	30 %	10 %	13 %	8 %	19 %	7 %	8 %	0 %	
% Proficient	33 %	36 %	27 %	45 %	29 %	31 %	19 %	24 %	18 %	10 %	
% Basic	24 %	18 %	33 %	35 %	29 %	31 %	32 %	40 %	40 %	44 %	
% Below Basic	14 %	27 %	10 %	10 %	8 %	21 %	16 %	17 %	10 %	27 %	
% Far Below Basic	10 %	5 %	0 %	0 %	21 %	10 %	13 %	12 %	25 %	19 %	

#### CST Mathematics

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested	21	22	30	20	24	39					
% of Enrollment	91.3 %	95.7 %	100.0 %	100.0 %	92.3 %	95.1 %					
Students with Scores	21	22	30	20	24	39					
Mean Scale Score	378.0	370.8	383.0	326.0	319.5	329.6					
% Advanced	29 %	23 %	33 %	10 %	0 %	10 %					
% Proficient	33 %	45 %	30 %	35 %	29 %	26 %					
% Basic	29 %	14 %	20 %	20 %	33 %	26 %					
% Below Basic	10 %	18 %	7 %	20 %	21 %	26 %					
% Far Below Basic	0 %	0 %	10 %	15 %	17 %	13 %					

# CST General Mathematics

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested							30	28			58
% of Enrollment							90.9 %	62.2 %			
Students with Scores							30	28			58
Mean Scale Score							337.8	305.1			321.8
% Advanced							17 %	0 %			9 %
% Proficient							23 %	14 %			19 %
% Basic							20 %	43 %			31 %
% Below Basic							30 %	32 %			31 %
% Far Below Basic							10 %	11 %			10 %

# CST Algebra I

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested							1	12	19	5	37
% of Enrollment							3.0 %	26.7 %	46.3 %	7.9 %	
Students with Scores							1	12	19	5	37
Mean Scale Score							*	299.3	274.4	*	283.0
% Advanced							*	0 %	0 %	*	0 %
% Proficient							*	17 %	5 %	*	8 %
% Basic							*	33 %	16 %	*	22 %
% Below Basic							*	42 %	53 %	*	51 %
% Far Below Basic							*	8 %	26 %	*	19 %

## CST Geometry

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested									5	6	11
% of Enrollment									12.2 %	9.5 %	
Students with Scores									5	6	11
Mean Scale Score									*	*	278.7
% Advanced									*	*	0 %
% Proficient									*	*	0 %
% Basic									*	*	36 %
% Below Basic									*	*	45 %
% Far Below Basic									*	*	18 %

# CST Algebra II

[illegible]



### CST History - Social Science Grade 8

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested							31				
% of Enrollment							93.9 %				
Students with Scores							31				
Mean Scale Score							303.7				
% Advanced							0 %				
% Proficient							13 %				
% Basic							48 %				
% Below Basic							16 %				
% Far Below Basic							23 %				

### CST World History

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested									40	1	41
% of Enrollment									97.6 %	1.6 %	
Students with Scores									40		40
Mean Scale Score									285.3	*	285.3
% Advanced									3 %	*	3 %
% Proficient									8 %	*	8 %
% Basic									28 %	*	28 %
% Below Basic									15 %	*	15 %
% Far Below Basic									48 %	*	48 %

### CST U.S. History

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested										59	
% of Enrollment										93.7 %	
Students with Scores										59	
Mean Scale Score										289.9	
% Advanced										2 %	
% Proficient										10 %	
% Basic										25 %	
% Below Basic										27 %	
% Far Below Basic										36 %	

### CST Science - Grade 5, Grade 8, and Grade 10 Life Science

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested				20			31		38		
% of Enrollment				100.0 %			93.9 %		92.7 %		
Students with Scores				20			31		38		
Mean Scale Score				355.4			315.5		316.0		
% Advanced				5 %			3 %		5 %		
% Proficient				60 %			29 %		16 %		
% Basic				35 %			32 %		32 %		
% Below Basic				0 %			19 %		26 %		
% Far Below Basic				0 %			16 %		21 %		

### CST Biology

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested									8		8
% of Enrollment									19.5 %		
Students with Scores									8		8
Mean Scale Score									*		*
% Advanced									*		*
% Proficient									*		*
% Basic									*		*
% Below Basic									*		*
% Far Below Basic									*		*

### CST Earth Science

Result Type	2	3	4	5	6	7	8	9	10	11	EOC
Students Tested								19		5	24
% of Enrollment								42.2 %		7.9 %	
Students with Scores								19		5	24
Mean Scale Score								307.9		*	307.1
% Advanced								0 %		*	0 %
% Proficient								16 %		*	13 %
% Basic								42 %		*	50 %
% Below Basic								11 %		*	8 %
% Far Below Basic								32 %		*	29 %

### CAHSEE Data (March 10<sup>th</sup> Grade Administration)

Location	Tested or Passing	Subject	All Students	Special Education Students	English Learner (EL) Students	Reclassified Fluent-English Proficient (RFEP) Students	Economically Disadvantaged	Not Economically Disadvantaged
DISTRICTWIDE:	# Tested	Math	30	1	0	0	14	14
DISTRICTWIDE:	Passing	Math	20 (67%)	-	-	-	6 (43%)	12 (86%)
DISTRICTWIDE:	# Tested	ELA	31	1	0	0	14	15
DISTRICTWIDE:	Passing	ELA	22 (71%)	-	-	-	8 (57%)	12 (80%)

### Graduation Data

2010 Graduation Rate (Class of 2008-09)	2011 Graduation Rate (Class of 2009-10)	2011 Target Graduation Rate	2011 Graduation Rate Criteria Met	Alternative Method or Exclusion
			N/A	U50 (under 50 graduates)

### Conclusions from Student Performance Data:

- Assessment data indicates a slight decrease in ELA performance. We see dips in performance and have strategies in place to address these for the 2011-12 school year.
- Different grade level groups vary significantly from year to year.
- We need to target the students scoring “basic” in order to meet state targets.
- Proficiency rates for ELA do not reveal an achievement gap; in fact the SED students outperformed White students by 3.8%. Additional tutoring by Title I aides and assigned teachers providing small group and one to one assistance has benefitted this category of students.
- Students in grades 6-11 note a marked decrease in achievement in ELA proficiency. Additional attention needs to be focused on this grade range.
- Other notable areas for future focus: seek to increase numbers of students in advanced Mathematics courses; improve 8<sup>th</sup> & 10<sup>th</sup> grade Social Studies and Science scores.

### Description of Assessments:

- Baseline and Interim Assessments – Universal pre/post tests (staff created as well as specific curriculum assessments, all tied closely to the California State Standards) administered by classroom teachers. Individualized bi-weekly or monthly benchmark assessments to determine progress and needed modifications in instructional approach.
- Benchmark Assessments (Fall, Winter, Spring) – Scantron Performance Series diagnostic assessment administered three times (by October 25, December 15, and March 15). Performance Series is aligned to CA state standards in all 4 subject areas (Reading, Language Arts, Math, and Science).

### Fall Benchmark Data (baseline):

Grade Level	AboveAvg	Count	HighAvg	Count	LowAvg	Count	BelowAvg	Count	Total Count	Mean Score
Grade 2	50%	10	20%	4	15%	3	15%	3	20	2147
Grade 3	42%	10	13%	3	28%	7	17%	4	24	2298
Grade 4	10%	2	24%	5	28%	6	38%	8	21	2340
Grade 5	27%	8	10%	3	27%	8	37%	11	30	2420
Grade 6	22%	6	19%	5	30%	8	30%	8	27	2539
Grade 7	18%	7	13%	5	35%	14	35%	14	40	2514
Grade 8	9%	4	11%	5	30%	14	50%	23	46	2558

Once benchmark assessments are completed (December 15 and March 15), the leadership team, consisting of the Education Director and Assistant Program Directors, will pull gains reports from Scantron. These reports will be organized by Language Arts, Reading, and Math, school wide as well as by sub-group. This data will be shared with teachers and analyzed for the purpose of driving instruction. Teacher-Leader conferences will result in discussion considering pacing, methodologies, student remediation, determination of program effectiveness, analysis of current curriculum or strategies and evaluation of further intervention.

### Fall Language Arts Data:

Grade	Student Count	Mean Language Arts SS
Overall	352	2505
Grade 2	20	2147
Grade 3	24	2298
Grade 4	21	2340
Grade 5	30	2420
Grade 6	27	2539
Grade 7	40	2514
Grade 8	46	2558

### Scantron Performance Series Language Arts Scaled Score Interquartile Ranges:

Grade	Fall	Winter	Spring
2	1890-2188	2006-2286	2143-2366
3	2143-2409	2222-2495	2268-2521
4	2289-2542	2276-2536	2372-2617
5	2358-2597	2397-2639	2404-2652
6	2443-2663	2418-2672	2494-2718
7	2483-2684	2513-2747	2521-2730
8	2583-2750	2599-2774	2609-2784

### Goals:

The content of this School Achievement Plan is aligned with school goals for improving student achievement. School goals are based upon an analysis of state data, including API/AYP reports, and include local measures of student achievement. Based upon this analysis, LVCS has established the following performance improvement goals and actions.

MEASURABLE GOALS TABLE			
Content Area	Grade/ Course	Frame of Analysis: Content Area or Specific Strands	Measurable Goals for Interim Assessment Results
<i>English Language Arts (ELA)</i>	<i>Schoolwide</i>	<i>ELA</i>	<i>Winter Goal (by December 15<sup>th</sup>): 80% of students will move from Fall Interquartile Range into the appropriate Winter</i>

			<i>Interquartile Range. Spring Goal (by March 15<sup>th</sup>): 80% of students will move from Winter Interquartile Range into the appropriate Spring Interquartile Range.</i>
<i>English Language Arts (ELA)</i>	<i>Schoolwide</i>	<i><u>ELA</u></i>	<i>Spring Goal 78.4% proficient on ELA portion of assessment</i>
<i>ELA</i>	<i>4<sup>th</sup> &amp; 7<sup>th</sup></i>	<i><u>Content Area:</u> <i>Writing Composition</i></i>	<i>Spring Goal: 78.4% proficient in Writing portion of assessment</i>
<i>ALL</i>	<i>Schoolwide</i>	<i><u>Student Attendance</u></i>	<i>Average Daily Attendance will meet or exceed 92% for the 2011-2012 school year.</i>

### Action Plan:

<b>ACTION PLAN</b>			
<b>DATA:</b> Baseline Assessment Results (Percent at or above Proficient)			
Content Area: English Language Arts			
Grade / Course	Schoolwide	White (Subgroup 1)	Socioeconomically Disadvantaged (Subgroup 2)
2	52	53	34
3	50	53	53
4	57	56	54
5	55	51	40
6	42	38	36
7	39	35	40
8	38	42	36
9	31	25	38
10	26	30	7
11	10	13	4

## ACTION PLAN

Content Area: English Language Arts

Grade	Area / Strands	Action Plan: Student Intervention / Strategy	Professional Development	Evaluation Plan	Timeline / Person Responsible
<i>Schoolwide</i>	<i>All students need more support with Writing Strategies and Conventions strands</i>	Provide classroom assessment to target specific standards in this strand. Provide weekly workshops to improve application of writing strategies.	Provide PD on early dismissal days on analysis of assessment for the purpose of driving instruction and selection of appropriate curricular materials	Universal Benchmark (Scantron Performance Series) Assessment, pre/post tests administered by classroom teachers. Individualized bi-weekly or monthly benchmark assessments to determine progress and needed modifications in instructional approach.	<i>Teacher</i> -identify, assess and provide instruction; <i>Administrator</i> -oversight and guidance, arrange for PD and data analysis.
6-11	<i>ELA/All high school students need additional support in all strands to improve proficiency.</i>	Provide classroom assessment to target specific standards in these strands. Provide additional 30 minutes per week of tutoring to each student.	Providing PD on early dismissal days on analysis of assessment for the purpose of driving instruction and selection of appropriate curricular materials	Universal Benchmark (Scantron Performance Series) Assessment, pre/post tests administered by classroom teachers. Individualized bi-weekly or monthly benchmark assessments to determine progress and needed modifications in instructional approach.	<i>Teacher</i> -identify, assess and provide instruction; <i>Administrator</i> -oversight and guidance, arrange for PD and data analysis.

10	<i>ELA/Subgroup 2 needs additional support in all strands to improve proficiency.</i>	Provide classroom assessment to target specific standards in these strands. Provide additional 30 minutes per week of tutoring to each student.	Providing PD on early dismissal days on analysis of assessment for the purpose of driving instruction and selection of appropriate curricular materials.	Universal Benchmark (Scantron Performance Series) Assessment, pre/post tests administered by classroom teachers. Individualized bi-weekly or monthly benchmark assessments to determine progress and needed modifications in instructional approach.	<i>Teacher</i> -identify, assess and provide instruction <i>Administrator</i> -oversight and guidance, arrange for PD and data analysis; <i>Title I Aide</i> -assist in additional tutoring as needed.
Goal Area: Attendance					
Grades	Specific Area Targeted	Action Plan	Professional Development	Evaluation	<i>Timeline/ Person Responsible</i>
Schoolwide	<i>Regular student attendance is essential for attainment of student achievement goals.</i>	Site based student absences require immediate follow-up from school office. Independent Study absences require bi-weekly notices. Review attendance records during parent meetings. Utilize Lassen County Probation Department to counsel students and their families with excessive absences.	Independent Study teachers to receive additional support on identifying absences based on work product during early dismissal days.	Monthly monitoring of ADA statistics	<i>Attendance Clerk</i> -phone calls & documentation to investigate/record absences; <i>IS Teachers</i> -make interim reports on inadequate progress; <i>Lassen Cty Probation</i> -send out letters and provide visitation; <i>Administrator</i> -oversight, guidance, data monitoring & arrange for PD

## Long Valley Charter School Winter Benchmark Report 2011-2012

### Fall Benchmark Data (baseline):

Grade Level	AboveAvg	Count	HighAvg	Count	LowAvg	Count	BelowAvg	Count	Total Count	Mean Score
Grade 2	50%	10	20%	4	15%	3	15%	3	20	2147
Grade 3	42%	10	13%	3	28%	7	17%	4	24	2298
Grade 4	10%	2	24%	5	28%	6	38%	8	21	2340
Grade 5	27%	8	10%	3	27%	8	37%	11	30	2420
Grade 6	22%	6	19%	5	30%	8	30%	8	27	2539
Grade 7	18%	7	13%	5	35%	14	35%	14	40	2514
Grade 8	9%	4	11%	5	30%	14	50%	23	46	2558

### Winter Benchmark Data (baseline):

Grade Level	AboveAvg	Count	HighAvg	Count	LowAvg	Count	BelowAvg	Count	Total Count	Mean Score
Grade 2	45%	10	18%	4	14%	3	23%	5	22	2181
Grade 3	38%	9	17%	4	28%	7	17%	4	24	2282
Grade 4	22%	5	35%	8	30%	7	13%	3	23	2352
Grade 5	34%	11	16%	5	38%	12	12%	4	32	2480
Grade 6	36%	10	18%	5	25%	7	21%	6	28	2537
Grade 7	18%	8	29%	13	38%	17	15%	7	45	2546
Grade 8	12%	6	22%	11	37%	18	29%	14	49	2579

### % Proficient Comparison

	Fall	Winter	Difference
Grade 2	70	63	-7
Grade 3	55	55	+0
Grade 4	34	57	+23
Grade 5	37	50	+13
Grade 6	41	54	+13
Grade 7	31	47	+16
Grade 8	20	34	+14

### Fall Language Arts Data:

Grade	Student Count	Mean Language Arts SS
Overall	352	2505
Grade 2	20	2147
Grade 3	24	2298
Grade 4	21	2340
Grade 5	30	2420
Grade 6	27	2539
Grade 7	40	2514
Grade 8	46	2558

### Winter Language Arts Data:



Grade	Count	Arts SSp <sub>2</sub>
Overall	387	2520
Grade 2	22	2181
Grade 3	24	2282
Grade 4	23	2352
Grade 5	32	2480
Grade 6	28	2537
Grade 7	45	2546
Grade 8	49	2579

Scantron Testing (Fall to Winter Gains)	Expected Growth	LVCS Growth
Reading (2-11)	+17	+41
Language (2-8)	+28	+45
Math (2-11)	+13	+54

MEASURABLE GOALS TABLE			
Content Area	Grade/ Course	Frame of Analysis: Content Area or Specific Strands	Measurable Goals for Interim Assessment Results
<i>English Language Arts (ELA)</i>	<i>School wide</i>	<u><i>ELA</i></u>	<i>Winter Goal (by December 15<sup>th</sup>): 80% of students will move from Fall Interquartile Range into the appropriate Winter Interquartile Range.</i>

## RESULTS and CONCLUSIONS:

**Overall gains in the area of Language Arts equaled a growth of 45 points on the benchmark exam, with an expected growth of 28 points. There was good overall movement of students from the below average to the above average range. The goal of having 80% of all students move from Fall Interquartile Ranges into appropriate Winter Interquartile Ranges was met – 81% of all students have scores in the appropriate Winter Interquartile Range. Although we are only required to track progress in Language Arts, students showed growth in Reading (+41 points) and Math (+54 points), as well.**

**This data has been shared with teachers and in grade level teams has been analyzed to guide in continuing or changing instructional practices. Based on overall growth current program practices are effective; student remediation will continue in the same manner with targeted instruction in written language skills.**

# Exhibit B

Teacher	Code	NCLB Status	Credential	Site/Program	Number of Students (01/06/12)	Comments
Julie Berry	A	Not New	Mult. Subject	Doyle/ Kindergarten	21	K-8 self-contained via HOUSSE No EL authorization (working with LCOE for waiver or documentation)
Elise Williams	B	New	Mult. Subject Subject Matter Authorization: government	Doyle/Grades 1	7	K-8 self-contained via exam
Karen Rust	C	Not New	Mult. Subject	Doyle/Grades 2-3	22	K-8 self-contained via HOUSSE
Misty Brussatoi	D	New	Mult. Subject	Doyle/Grades 4-5	22	K-8 self-contained via exam *No EL authorization (testing by August 2012)
Debbie Cole	E	New	Mult. Subject	Doyle/Grades 6-7	17	K-8 self-contained via exam
Kelly Hilberg	F	New	Mult. Subject	Doyle/Grade 8	12	K-8 self-contained via exam *Not HQ for Algebra (CSET summer 2012) *No EL authorization (testing by August 2012)
* Have applied for EL waiver via the Lassen County Office of Education						
Lassen Independent Study (LIS)						
Teacher	Code	NCLB Status	Credential	Area(s) of NCLB compliance	Assignment 3-01-12	Plan for Obtaining NCLB Teacher Quality Compliance
Kimber Azevedo	G	New	Mult. Subject	K-8 self-contained via exam	K-8	Compliant for assignment
Teri Bertotti	H	Not New	Mult. Subject	K-8 self-contained via HOUSSE	K-8	Compliant for assignment
Cassie Dunn	I	New	Mult. Subject	K-8 self-contained via exam	K-8	Compliant for assignment
Emily Foy	J	New	Mult. Subject		Math	VPSS: Math (April 2012)

Susan Tantardino	K	Not New	Mult. Subject	K-8 self-contained via HOUSSE	K-8 History	Compliant for K-8 assignment VPSS: History (April 2012)
Ann Dawson-Weaver	L	Not New	Single Subject: home economics	Math via HOUSSE Geoscience Via HOUSSE Biology via HOUSSE Visual Art via HOUSSE	Math Visual arts Biology Geosciences	Compliant for assignment
Jennifer West	M	Not New	Mult. Subject Single: English	English via CTC approved subject matter program	English	Compliant for assignment
Green indicates not yet NCLB compliant for assignment						
Shasta Independent Study (SHI)						
Teacher	Code	NCLB Status	Credential	Area(s) of NCLB compliance	Assignment 3-01-12	Comments
Jillian Hinchliffe	O	New	Mult. Subject	K-8 self-contained via exam	K-8	Compliant for assignment
Bryan Knight	P	New	Mult. Subject		Math	VPSS:Math (April 2012)
Julia Knight	Q	Not New	Mult. Subject Specialist Education (mild moderate)	English via HOUSSE	English	Compliant for assignment No EL authorization
Vanessa Latham	R	New	Mult. Subject	History via exam (will apply for a single subject credential)	History	CSET: social science
Ann Mobley	S	Not New	Clear Standard Elementary: child development academic (nine and below only)	K-8 self-contained via HOUSSE Geosciences via HOUSSE Biology via HOUSSE	K-8 Geosciences Biology	Compliant for assignment No EL authorization
* Have applied for EL waiver via the Lassen County Office of Education						

Plumas Independent Study (PIS)						
Teacher	Code	NCLB Status	Credential	Area(s) of NCLB compliance	Assignment 3-01-12	Comments
Kathleen Caley	T	Not New	Mult. Subject	K-8 self-contained via exam	K-8	Compliant for assignment
Eleanor Klemesrud	U	Not New	Mult. Subject	K-8 self-contained via exam	K-8	Compliant for assignment
Erin Klemesrud	V	New	Mult. Subject Level II Education Specialist (mild moderate) Supplemental authorization: English		English	VPSS: English (April 2012)
Cheryl Cheney	W	Not New	Life Standard Secondary social science: history, psychology Life Standard Secondary English Multi. Subject	English via major History via minor	History English	Compliant for assignment
Cheree Childers	X	New	Short Term Staff Permit	Science (biological, general)	Biology Geosciences	Application pending via Nevada credential: single subject: biology and geosciences
Mary Ingstad	Y	Not New	Level II Education Specialist (mild moderate)	K-8 self-contained via HOUSSE Art via major	K-8 VAPA	Compliant for assignment
Sherri Morgan	Z	Not New	Single Subject: Business Supplemental Authorization: Introductory Math	Math via HOUSSE Government via HOUSSE Economics via HOUSSE	Math Government Economics	Compliant for assignment
William Powers	A A	Not New	Single Subject: English	English via CTC approved subject matter program	English	No EL authorization

Have applied for EL waiver via the Lassen County Office of Education